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MEMOIRS

OF THE

REIGN OF GEORGE III.

FROM

HIS ACCESSION,

TO

THE PEACE OF AMIENS.

BY WILLIAM BELSHAM.

IN EIGHT VOLUMES.

VOL. IV.

THE SIXTH EDITION.

LONDON:

PRINTED FOR SHERWOOD, NEELY, AND JONES,

PATERNOSTER-ROW;

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HISTORY

OF

GREAT BRITAIN.

GEORGE III.

BOOK XXII.

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State of Parties.

THE established appellations of WHIG and TORY, as descriptive of the two grand political parties which under these or equivalent terms of distinction will doubtless subsist so long as the present constitution of government shall remain, though greatly changed from their original signification, it would nevertheless be fastidious to reject. The gradations of sentiment and principle which mark their progress it is however of

indispensable importance occasionally to specify. The principles of Whiggism may indeed in this respect be said to have gained a complete triumph over those of the ancient Tories, inasmuch as the once favourite maxims of Toryism—passive obedience, non-resistance, and the divine and indefeasible right of monarchy—have fallen into general contempt. Nor can any doctrines bearing the most distant analogy to these monstrous absurdities be now maintained, without the use of such artificial and ambiguous phraseology as, however magnificent in sound and show, shall vanish from the touch of reason as mists and vapors from the noon-day sun.

Agreeably then to the vicissitudes which have in a long series of eventful years taken place in the views and sentiments of the opposing parties of the state, a WHIG must now be understood to mean a man who, in addition to the speculative principles of liberty civil and religious which have descended to him from his ancestors, entertains a lively and well-founded jealousy lest the prerogative of the crown should, in consequence of the prodigious increase of its influence, ultimately absorb the whole power and authority of the other branches of the government, and with them the liberties of the nation at large, in its vast and tremendous vortex. A modern Whig acknowledges and deeply regrets the improvidence of his

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ancestors in contributing, by the facility of their compliances, to the accumulation of an immense public debt, and the establishment of a standing army, both of which are yet in a state alarmingly progressive. He can scarcely forgive those extravagant ebullitions of loyalty which could sacrifice the most sacred principles of the constitution to the interest or ambition of the reigning family, in prolonging, by a most unjustifiable stretch of power, the existence of parliaments to a term of dangerous duration, and in furnishing to a minister, little scrupulous of expedients, and regardless of consequences, the means of universal and unbounded corruption. Whatever palliations of the fatal system then adopted, the peculiarity of that minister's situation, and the situation of the country at large in a political view, might then afford, had, it was affirmed, been long since entirely at an end; but the same system is nevertheless resolutely and uninterruptedly pursued, recovering, Antæus-like, from every apparent or accidental fall with renewed and redoubled vigor.

On the other hand, the modern Tories, although the descendents of those who long entertained a most inveterate enmity against the family upon the throne, and who from motives not of the purest patriotism vehemently opposed in the former reigns the unconstitutional measures of the Whigs, having at length entirely

shaken off their old attachments, and being taken into favour and invested with power under the marked and too partial protection of the court, suddenly became its open and zealous advocates —combining, as far as the spirit of the times would admit, the speculative errors of one party with the practical errors of the other. The necessity of strengthening the prerogative of the monarch, and of supporting the DIGNITY of the CROWN, was from this time the incessant theme of their argument and declamation. Concessions and indulgences were in their estimation things incompatible with the majesty of the regal character. The high, harsh, and peremptory tone of AUTHORITY, uniformly marked every act of government under the almost constant predominance of this dangerous faction during the present reign, from the commitment of a printer, or the prosecution of a libeller, to those measures of provocation and oppression terminating in a war which rent in twain and had well nigh subverted the empire.

This party, now grown strong and confident by an unexpected return of prosperity, assumed with ostentatious audacity the appellation of the KING'S FRIENDS, in which novel capacity they hesitated not to give their eager and ardent support to those measures of court policy which had been ever reprobated by the Tories of elder

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days as in the highest degree pernicious and unconstitutional. The STANDING ARMY, so long the theme of their invective and reproach, was now affirmed to be necessary for the preservation of the national tranquillity; the public debt was pronounced a public benefit; the connection with Hanover was honourable and useful; the influence of the crown was the happy means of consolidating the harmony of the different branches of government; a long parliament was said to be attended with no such inconvenient consequences as had been previously and erroneously apprehended; and every attempt to restore that equality, in the representation, or rather to remove those glaring inequalities so inconsistent with the spirit of the constitution and the practice of former ages, was opposed and rejected by them in terms of unbounded obloquy and detestation, as leading to nothing less than the absolute subversion of government. They professed on all occasions their dread of innovation and novelty—not adverting to the constant declaration of the ancient Tories, that the things to which they objected were themselves innovations wholly extraneous to the constitution—and that they who merely wished to *restore* were most unjustly accused of a fondness for innovation, or a dangerous propensity to tamper with the constitution by trying new and hazardous experiments.

Although the high and preposterous notions once prevalent, respecting the AUTHORITY of the CHURCH, had, in common with the old opinions relative to civil government, gradually fallen into disrepute, the Tories of the present reign have been invariably characterised by the strength of their attachment to the ecclesiastical establishment, which they are delighted to applaud and extol as a model of purity and perfection. Any suggestions of the expediency of a reform in the church, whether in relation to the irregularities of its discipline, or the errors of its doctrine as exhibited in a set of obsolete and unintelligible articles of faith, are received by this class of men with a sort of horror, as leading to foul suspicions of sectarian heresy or atheistical profaneness; while the dissenters of all denominations are on the contrary viewed by them with eyes of jealousy and hatred, and assiduously held up on all occasions as the inveterate enemies of at least one part of the constitution, and as the doubtful friends at best of the other; and every idea of enlarging the limits of the toleration allowed them by law, and much more of extending to them the common privileges of citizens, they have uniformly exclaimed against with affected terror and real malignity*.

* The principal religious sects now subsisting in England are the Presbyterians, Independents, Baptists, and Quakers.

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By these grand and leading features are the opposite parties of the present reign clearly discriminated; and whether these parties shall con-

In the last century the Presbyterians, differing little or nothing from the National Church in articles of faith or points of doctrine, and admitting almost universally episcopal government to be most agreeable to the primitive model, were yet highly offended at the retention of so great a part of the Romish ritual—her feasts, her fasts, her vestments, and her ceremonies. A conformity with these they regarded as unlawfully symbolizing with Popery—as an alarming and sinful advance towards antichristianism and idolatry. When it was deemed necessary or expedient, at least by the Long Parliament, in the course of the civil wars, to call in the assistance of the Scottish nation, the English Presbyterians embraced the Scottish covenant as the indispensable condition of attaining it—and episcopacy being rejected in all its forms and modifications, the Scottish model or "*platform*" of government and discipline by classes and assemblies was adopted and established throughout the kingdom. The Independents in a short time totally supplanting the Presbyterians, the new mode of worship fell into contempt—this daring and military sect affirming each separate church or congregation to possess a power over its own members, complete and *independent* of all other or superior jurisdictions; thus, as the historian Neale observes, "striking at the main principles of the hierarchy." This opinion naturally led to the novel and noble principle first introduced by them of an universal and unlimited toleration. In a long series of years the points of resemblance and dissimilarity between these two sects are much changed. The dissenters of all denominations are now agreed as to the non-existence of any higher ecclesiastical authority founded on Scripture or primitive an-

tinue to be known under the established denominations of Whig and Tory, whether by the appellations of Court and Country, King's Friends or

tiquity than that of an individual church or congregation—and the difference now consists entirely in opposing formulas of faith—the Independent congregations adhering strictly to the Calvinistic or orthodox system, and the Presbyterians deviating into a wide field of latitudinarianism and heresy, branching into all the theological distinctions of Arminianism, Arianism, Socinianism, &c. The dissenters of the latter denominations have indeed of late years chosen to decline altogether the appellation of Presbyterians, as conveying, since the days of Hudibras, ideas of cant, grimace, and enthusiasm, by no means characteristic of these sceptical, reasoning, and philosophical sects; choosing rather the simple and dignified title of Christian Unitarians. The Baptists, or Anabaptists, as they are usually styled, differ no less widely among themselves as to speculative points of doctrine, and have no common centre of union as a sect but in their rejection of the rite of baptism as it has been customarily practised in the Christian church in all ages—confining it to adult Christians in the mode of immersion only. Amongst the Quakers, no less than other professors of Christianity, it is certain that a great diversity of sentiments subsists respecting the doctrines inculcated by it. But this benevolent and pacific sect wisely lay much more stress on the spirit and temper of the religion they profess, than on any peculiar dogmas of faith. And since the frantic but transient fervors by which they were originally actuated subsided, they have distinguished themselves by an enlightened and active zeal in the cause of universal charity, humanity, and freedom, both civil and religious. The Moravians constitute a fifth sect, in a national and political view, almost too insignificant for mention. They had their origin

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Patriots, is of little importance, so that the terms be distinctly defined and generally understood; although in different individuals these different systems will of course be blended and diversified by all the possible tints and shades of moral and political variety.

No sooner had the Whigs, after a long and laborious opposition, driven their antagonists the Tories from the helm, and found themselves in full possession of the powers of government and the confidence of the people, than, in consequence of the unfortunate misunderstanding and subsequent conflict of their leaders, they were again broken and divided; and each division was under the necessity of strengthening itself by forming new and dangerous connections with their former opponents. On the secession of Mr. Fox, the earl of Shelburne called in the aid, though in a somewhat covert manner, of the Jenkinson party;

in Germany within the present century—the famous count Zinzendorf being their head and first founder. Notwithstanding the spirit of fanaticism, and, if they are not heavily calumniated, of immorality, which marked their earlier stages of progression, they are now known only as an humble, quiet, and industrious people, little connected with the community at large, submissively obedient in religious matters to those whom they regard as their spiritual superiors, and in civil concerns to the government of the country under whose protection they live, with little disposition or ability to enter into any speculative discussion of these topics.

and when a fair prospect of supplanting that nobleman in a short time occurred, Mr. Fox scrupled not, to the astonishment and indignation of the kingdom, publicly to coalesce with lord North and his numerous partisans. The earl of Shelburne having been far more guarded in his previous declarations, as well as his subsequent political associations, escaped the obloquy which attended the more flagrant inconsistency of his once popular rival; who, by openly connecting himself with that individual minister of the crown whom he had so long and so successfully laboured to vilify and disgrace, had for ever forfeited his claim to the flattering appellation of "the Man of the People."

On the dismission of the coalition administration, Mr. Pitt, the head of the new ministry, was in a manner compelled, like his predecessor lord Shelburne, to admit no inconsiderable proportion of the Tories to share in the honors and emoluments of government; and the nation, equally enraged at the Whigs and the Tories of the coalition, willingly excused the re-admission of those members of the old Tory administration who could plead the recent merit of inveighing against the coalition, and of opposing the India Bill of Mr. Fox.

From this mixture of Toryism in the new administration, nevertheless, the most pernicious

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and direful consequences have ultimately resulted. The reign of the present monarch has indeed been distinguished by a strange and dreadful fatality; and the deplorable infatuation almost invariably actuating the national councils, and which has been productive of such mighty mischiefs, may well appear to the contemplative and philosophic mind—penetrating beyond the dark cloud which bounds the view of common observers—the destined means of accomplishing the grand and beneficent purposes of that wisdom in comparison with which the highest human sagacity is as weakness and folly. But these are reflections which more properly appertain to the province of the theologist than the historian.

Proceedings relative to the Westminster return.

After the division which took place on the address, and which terminated in the complete triumph of the new ministry, the business which chiefly for a time occupied the attention of the house and of the public was the complaint stated by Mr. Fox respecting the conduct of the high-bailiff of Westminster, who had obstinately and daringly refused to make the return in his favor, although he had upon the face of the poll a majority of 235 votes. Mr. Fox, however, was not deprived of his seat in parliament by this infamous procedure, being, through the interest of his friend sir Thomas Dundas, chosen member for the borough of Kirkwall, in the Orkneys; on

which occasion Mr. Pitt, in the height of his exultation, gratified his feelings by a sarcastical delineation of his antagonist, as a man on whom a sort of sentence of banishment had passed—who had been driven by the efforts of patriotic indignation as an exile from his native clime, and forced to seek for refuge on the stormy and desolate shores of the "Ultima Thulé."

On the 24th of May a resolution was moved by Mr. Lee, late attorney-general, "that the high-bailiff of Westminster on the day upon which the writ of election expired ought to have returned two citizens to serve in parliament for that city." A violent debate ensued; and the previous question having been moved by sir Lloyd Kenyon, it was ordered that the high-bailiff should attend the house on the day following. The sole pretext on which that officer rested his defence was, that, having ground to suspect the validity of many votes taken in the course of a poll of six weeks duration, he had granted a *scrutiny*, till the termination of which he could not *in conscience* make the return. To this an obvious and decisive answer presented itself. The scrutiny is nothing more than a revision of the poll by the returning officer; and if such revision is not, and cannot be, completed previous to the period at which the writ is returnable, the officer is bound, by the nature of his office, and the tenor of his

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oath, to make the return agreeably to the poll as it was actually taken. For if vague presumptions of the nature now alleged were admitted as just causes of procrastination, elections would be thrown entirely into the hands of the returning officer, who, if gained over by the court, might for any indefinite term prevent those who were obnoxious to the administration for the time being from taking their seats in parliament; and the representation of the kingdom would be thus rendered flagrantly corrupt, partial, and imperfect. Had the high-bailiff really felt those *scruples of conscience* by which he pretended to be thus embarrassed, the law of parliament allowed him to include all the candidates in the same return, which would at once have transferred the task and burden of the decision from his own conscience to the conscience of the house. After long pleadings by counsel at the bar of the house on either part, the motion was renewed, "that the high-bailiff be directed forthwith to make the return." To the disgrace of the new administration, this motion was vehemently opposed, and on a division finally negatived—the ayes being 117, the noes 195. It was then moved and carried, "that the high-bailiff do proceed in the scrutiny with all practicable dispatch." Thus was this business laid at rest during the present session; but the character of the new minister suffered, in

consequence of the part which he took in the conduct of it, an indelible stain. Though as yet of years immature and unhackneyed in the ways of men, he was indignantly perceived capable with alacrity and eagerness to justify injustice, and to become an active and voluntary instrument of mean and insidious revenge.

Motion of Mr. Sawbridge for an enquiry into the state of the representation.

On the 16th of June a motion was made by Mr. Alderman Sawbridge, and seconded by Mr. Alderman Newnham, both of them representatives of the city of London, that a committee be appointed to enquire into the present state of the representation of the commons of Great Britain in parliament. The measure itself had the concurrence and support of Mr. Pitt, though the new minister professed in the usual language of ministers that the *time* was improper; and indeed the motion appears to have been calculated and designed rather to embarrass the minister than to promote the proposed object. Mr. Dundas, who had supported the former proposition of Mr. Pitt, luckily found a distinction which enabled him to oppose the present motion, without in the least diminishing his reputation for consistency. His objection was, that the committee now moved for was a select committee, whereas the committee for which he had formerly voted was a committee of the whole house. On the division

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upon the previous question, the numbers were 201 to 127.

Mr. Pitt's second India bill.

The grand business of the present session, however, was the arrangement of a plan for the future government of India. For this purpose Mr. Pitt on the 6th of July brought in a bill, founded on the general principles of that rejected by the former parliament, and to which the Company had now given their slow and reluctant assent. By this bill a BOARD of CONTROL, composed of a certain number of commissioners of the rank of privy-counsellors, was established, the members of which were to be appointed by the king, and removeable at his pleasure. This Board was authorised to check, superintend, and control, the civil and military government and revenue of the Company. The dispatches transmitted by the court of directors to the different presidencies were to be previously subjected to the inspection of the superior board, and counter-signed by them; and the directors were enjoined to pay due obedience to the orders of the Board, touching civil and military government and revenues; and in case such orders do at any time in the opinion of the directors relate to points not connected therewith, they are empowered to appeal to his majesty in council, whose decision is declared final. The bill moreover enacted, that the ap-

pointment of the court of directors to the office of governor-general, president, or counsellor in the different presidencies, shall be subject to the approbation and recall of his majesty. As to the zemindars, or great hereditary land-holders of India, who had been violently dispossessed of their property, and who, agreeably to the generous and decisive tenor of Mr. Fox's bill, were to have been universally and peremptorily reinstated in their zemindaries, the present bill provided only that an enquiry should be instituted in order to restore such as should appear to have been irregularly and unjustly deprived.* Lastly, an high tribunal was created for the trial of Indian delinquents, consisting of three judges, one from each court, of four peers and six members of the house of commons, who were authorised to judge without appeal—to award in case of conviction the punishments of fine and imprisonment—and to declare the party convicted incapable of serving the East-India Company. These were the grand and leading features of the bill; and the most transient observation sufficed to shew that the objectionable parts of Mr. Fox's bill had been anxiously and completely avoided. The

* It is remarkable, that not a single zemindar was in fact restored in consequence of this clause; whence some have complaisantly inferred that not a single zemindar was unjustly dispossessed.

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management of their commercial concerns was left in the hands of the Company, who were divested only of that political power which they had so grossly abused, and of that civil authority to the due exercise of which they were so manifestly incompetent. And this authority was not transferred to persons who, like the commissioners of Mr. Fox, might attempt to establish an unconstitutional influence in parliament, not merely independent of, but in direct opposition to, the regular and constitutional authority of the crown; but in the effort to steer clear of the rock of Scylla, it was evident that Mr. Pitt had plunged into the gulph of Charybdis, and that by this bill a vast accession of influence resulted to the crown, already possessing a dangerous, formidable, and increasing ascendency over the other branches of the legislature.

Mr. Fox, with his usual powers of discrimination, attacked the weak and exceptionable parts of this bill, although the utmost energy of his eloquence was found inadequate to excite the general attention of the public to the merits or demerits of the measure in question—prepossessed as they now almost universally were in favour of the minister with whom it originated, and in whom they placed the most entire and unlimited confidence. Mr. Fox, urged with great force and animation, that this bill established a weak and

inefficient government, by dividing its powers. To the one board belonged the privilege of ordering and contriving measures; to the other, that of carrying them into execution. It was a system of dark intrigue and delusive art. By the negative vested in the commissioners, the CHARTERED RIGHTS of the Company, on which such stress had been laid, were insidiously undermined and virtually annihilated. If it were right to vest such powers in a board of privy counsellors, let it be done explicitly and openly, and shew the Company and the world, that what they dared to do they dared to justify. Founded on principles so heterogeneous, how could such a government be other than the constant victim of internal distraction? The appeal allowed from the decisions of the board of control to the privy-council was affirmed by Mr. Fox to be palpably nugatory and ridiculous. The bill he had introduced exhibited at the first glance the features of openness, fairness, and responsibility. The present plan was full of darkness and disguise. In a covert and concealed mode, an immense patronage was transferred to the crown, which, instead of correcting abuses, opened a door to every species of collusion and corruption. It was calculated to establish an Indian government of the island of Great Britain. Against the clauses of the bill respecting the zemindars, Mr. Fox entered his

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strongest protest. The zemindars ought, in his opinion, to be rated by a fixed rule of past periods, and not of a vague and indefinite future enquiry. The new tribunal Mr. Fox stigmatized as a screen for delinquents; as a palpable and unconstitutional violation of the sacred right of trial by jury. Since no man was to be tried but on the accusation of the Company or the attorney-general, he had only to conciliate government in order to his remaining in perfect security. It was a part of the general system of deception and delusion, and he would venture to pronounce it a "bed of justice," where justice would for ever sleep. On the motion of commitment, the numbers were 276 to 61; and it was carried in triumph to the house of peers, where, after an opposition vigorous in point of exertion, but feeble in regard of numbers, the bill passed August 9, 1784. It was accompanied by a protest, in which it was severely branded as a measure ineffectual in its provisions, unjust in its inquisitorial spirit, and unconstitutional in its partial abolition of the trial by jury.

Zeal of Mr. Burke for the reform of abuses in India.

Amongst those who had chiefly distinguished themselves in the investigation of Indian affairs, and whose indignation had been most strongly awakened at the discovery of the enormous oppression exercised in those distant regions, was Mr. Burke. Agreeably, indeed, to the general

cast of his character and genius, Mr. Burke's acuteness of research, and that extensive knowledge of the subject which he had acquired by long and indefatigable attention, was obscured and rendered in a great measure useless, and even pernicious, by the violence of his passions, and the obstinacy of his prejudices. Not satisfied with exhibiting facts sufficiently atrocious in their own nature in the language of plainness and simplicity, Mr. Burke was eager upon all occasions to impress the public mind and heighten the general effect, by all the arts of rhetorical amplification and embellishment. So little of philosophy, however, entered into the oratory of this famous speaker, that the effect produced upon the public mind was directly opposite to that which he himself expected and intended. Amidst the blaze of declamation, and the thunders of invective, the ingenuous enquirer after TRUTH found it insuperably difficult to ascertain with precision those points on which the charge of criminality rested. To the most careless observer, it was apparent that in numerous instances facts were distorted and disguised; that the most invidious construction was invariably annexed even to the most indifferent actions; that every thing was seen through the medium of false and artificial colourings; that the dignified candour which gives weight to an accusation was wholly want-

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ing. His calmness was settled rancor; his warmth, the phrensy of rage and revenge. Mr. Burke had long singled out Mr. Hastings, late governor-general of India, as the object of his most furious attacks; but from the circumstances now enumerated, the feelings of the public were in a considerable degree excited in his favor. Added to this, the successes of the late war in India, contrasted with the defeats and disasters sustained by the nation in all other parts of the globe, cast a certain splendor around the character of Mr. Hastings, who had acquired the popular appellation of the *Saviour of India*; while to appreciate the real merits of his long and eventful administration required a sagacity and diligence of research for which the inclination and ability were, to speak in general terms, equally wanting. Mr. Burke had also entirely lost the degree of credit which he once possessed with the public, by standing forward as the avowed advocate and champion of the detested coalition, of which he was indeed more than suspected to have been the original projector, although the bitterness of his former invectives against the late minister lord North could not be exceeded by his most virulent effusions against the more recent object of his intemperate abuse, Mr. Hastings. In a word, Mr. Burke appeared in the view of the public at this period, as a man of talents indeed, but to-

tally destitute of judgment, and even of principle; who, actuated by pride, spleen, and ambition, affected to assume the elevated character of a CICERO dragging a delinquent of the first magnitude—a VERRES—to public justice: while Mr. Hastings, on the other hand, was regarded as a man deserving highly of his country, and who had from secret and sinister motives become the unfortunate object of an unjust and iniquitous persecution.

Early in July, the minister, Mr. Pitt, acquainted the house with the arrival of sir Elijah Impey, chief-judge of the Supreme Court of Judicature at Bengal, who had been recalled by the king, in conformity to an address of that house. Mr. Burke upon this remarked, that the resolutions upon the subject were originally moved and seconded by sir Adam Ferguson and general Smith, who were not members of the present parliament. The charge against the delinquent in question having already received the sanction of that house, it might be proper to proceed against him by impeachment. For his own part, however, he totally declined taking the lead in this business. What hope could he, a solitary and unassisted individual, entertain of success, when the nobleman now presiding in the house of peers had expressly declared, in relation to the Reports in which the proceedings originated, that he

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regarded them no more than the romance of Robinson Crusoe? He therefore earnestly recommended it to the chancellor of the exchequer, as the chief conductor and representative of the executive government, to enforce the resolutions of that house relating to sir Elijah Impey. But Mr. Pitt totally, and in the most unequivocal terms, declined any concern in the affair. This was not the only indication of a fixed determination in the present ministry to discountenance all judicial investigation of the antecedent transactions in India.

On the 28th of July, Mr. Burke moved, That the house should resolve itself into a committee, to enquire into the facts stated in the different Reports relative to India. He asserted, that his character was at stake. If, as had been suggested, the Reports were mere fables, they were indeed calumnies of the most bold and unprincipled nature, and he himself was an infamous calumniator. The two sets of Reports originating from the different committees acknowledged as their parents Mr. Dundas and himself. The right honourable gentleman had indeed seen the drawn sycmitar lifted up to divide and destroy his offspring without discovering any symptom of emotion. But the spectacle was too horid for his feelings. He wished to intercept the arm of the executioner, and to receive the bloody and fla-

gitious stroke in his own person: "*Adsum qui feci*," exclaimed the orator, "*in me convertite ferrum!*" In contempt of this flight of eloquence, Mr. Dundas coolly moved the *order of the day*. BOOK XXII. 1784.

Disappointed in this attempt, Mr. Burke two days afterwards brought forward a series of resolutions, intended as a foundation for an enquiry into the conduct of Mr. Hastings. On this Mr. Pitt rose, and asked, "How that house, as a house of parliament, knew as a fact the transactions on which Mr. Burke grounded his motions? If the motions passed, from what office were the papers expected to proceed? To relieve the house from these embarrassments, he said, he should move the *order of the day*." This second interruption was more than the patience of Mr. Burke could endure. He affirmed the insensibility of government to the foul enormities lately perpetrated, and still perpetrating, by our countrymen in the East, to be truly shocking. He deprecated the day that the knowledge of them had come to his mind. The miserable objects it exhibited, nations extirpated, provinces desolated, cities and countries overwhelmed in one mass of destruction, constantly dwelt on his imagination. The cries of the native Indians were never out of his ears; an impression of horror had seized on his mind, which deprived him of sleep, and night and day preyed upon his peace. The

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reality of the facts stated in the Reports had been impeached. Why then would not the men who denied them stand forward and support their allegations? Oh! what, said this impassioned orator, would I not give to find the scenes of horror there described nothing more than a fiction! To me it would be a discovery more precious and grateful than the discovery of a new world. He declared, that he wished it for the honour of humanity, from sympathy to millions of suffering and helpless individuals, from an anxious desire to retrieve the honour of the house, and of the country at large, from infamy and execration. He conjured Mr. Pitt to reflect with seriousness on this business. The voice of India cried aloud for justice. He was at a loss, he said, how to account for the callous insensibility of the minister, at a time of life when all the generous feelings of our nature are most lively and susceptible:—and proceeding in reflections very pointed and personal, he was loudly called to order; and still persevering in his exclamations and reproaches, was at length compelled to sit down, amidst the universal clamor and tumult of the house.

Bill for the prevention of smuggling.

On the dismission of this unwelcome business, the attention of the house was immediately transferred to a bill introduced by the minister for the more effectual prevention of the practice of smug-

gling, which had of late years arisen to a most alarming height. This bill contained various prudential, but somewhat severe, regulations. The distance from shore, at which seizures should in future be deemed lawful, was extended, and the constructing of vessels of a certain form and dimension peculiarly calculated for contraband purposes prohibited. But by far the most extraordinary part of the present plan was the reduction of the duties paid by the East-India Company on the importation of TEA, which was affirmed to be the grand medium of the smuggling traffic; and the consequent imposition of a new duty on windows, already most grievously burdened, to the amount of the deficiency, estimated at no less than six hundred thousand pounds per annum. This was styled by the minister a Commutation Tax; and the equity of it was defended on the general and vague idea, that, teas being an article of universal consumption, the weight of the tax would be compensated by a proportional abatement in the purchase of the commodity. Nothing however could be more fallacious than this statement, nor perhaps any impost more oppressive in its practical operation. It is obvious, that in large towns and cities, ground for the purpose of building being very valuable, houses are erected on a comparatively confined scale, and the number of windows is very moderate. But in small

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towns and villages, where ground is cheap, houses are for the most part constructed on a more convenient model, with ranges of offices, and windows commanding the court-yards, gardens, &c. contiguous to the dwelling. On these peaceful and rural retreats the tax fell heavily indeed; and the miserable effects of it are fully apparent in the multitude of windows stopped up in farm-houses and other country residences, to the inexpressible injury of the ease, health, and comfort, of a very great proportion of the community. But in the metropolis and other opulent and populous towns the tax fell lightly; and in consequence of the greater prevalence of luxury, the reduction of the duty on tea more than compensating in such situations for the addition of the new tax, this measure was applauded as a happy stroke of finance. A vigorous but unavailing opposition to the bill was nevertheless made by Mr. Fox, who asked, what connection there was between an impost upon tea and an impost upon windows, to entitle the latter to be denominated a commutation for the former? He affirmed it to be the essence of financial injustice and oppression to take off a tax upon luxury, and to substitute in its stead a tax upon that which was of indispensable necessity. Spirits were a leading article of smuggling, and a luxury in common use, as well as tea. But would the minister venture to pursue the commuting

principle of this bill to its full extent, and, abolishing the duties on spirituous liquors, to impose another tax upon windows, and assign as a reason, that all men may be presumed or expected to drink rum and brandy in their own houses? The obligations of this kingdom to the East-India Company, and the vast revenue we derived from the commerce carried on by them, had been much insisted on; but surely it was at all times easy, without having recourse to their instrumentality, to obtain the same revenue by the same means.

Mr. Courtenay, a member of the house, distinguished no less by the readiness of his wit than the vigour of his understanding, remarked that the bill now before the house was the counterpart of the detestable *Gabelle* or Salt-tax in France. There an impost was laid upon that article, and every man was obliged to take and pay for a certain quantity, whether he wanted it or not. As the present administration had in other respects degraded the commons of Great Britain to a level with the parliaments of France, it was indeed perfectly consistent in them to introduce a similar principle of taxation.—The bill at length passed the house by a very great majority; after no very long interval receiving the royal assent: and it must be confessed, that in a commercial and financial view it has beyond the most sanguine previous calculation answered its intended purpose.

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The remaining great operation of finance during this extraordinary session was the providing for the arrears of the unfunded debt left at the conclusion of the war, amounting to more than twenty millions. This was disposed of partly in the four-per-cents, and partly in a newly created five-per-cent. stock, made irredeemable for thirty years, or until twenty-five millions of the existing funds should be extinguished. The taxes for the payment of the interest of this vast sum were, in the present exhausted state of the national finances, upon the whole allowed to be happily and judiciously chosen.

King's debts a fourth time discharged.

It must not be omitted, that the sum of sixty thousand pounds was in the course of the session voted to his majesty, to enable him to discharge the debt contracted in the civil list. This was the fourth grant for the same purpose since the accession of the present king. Much altercation arose on this occasion between the old and the new ministry, as to the precise period when this new debt was incurred. All however that the public at large could be fully certified of was, that with a civil list revenue of eight hundred thousand pounds, afterwards increased to nine hundred thousand pounds per annum, exclusive of the revenues arising from the crown lands, more than fourteen hundred thousand pounds had been voted within the space of about fifteen years, for the

payment of the debts of the crown. And the stern observation of the famous MILTON could not but forcibly recur in such circumstances to the public recollection—"That the very trappings of a monarchy were more than sufficient to defray the whole expence of a republic."*

Restoration of the forfeited estates in Scotland.

The last measure which came under parliamentary discussion during the present session was a bill introduced by Mr. Dundas, and of a nature perfectly congenial to the urbanity and good humour which, notwithstanding his political frailties, characterized that able and versatile minister, for the restoration of the estates forfeited in Scotland in consequence of the rebellions of 1715 and 1745. Mr. Dundas declared the measure to be, in his opinion, worthy of the justice and generosity of parliament. He said, there was not one of the families comprehended in the scope of it, in which some person had not atoned for the crimes and errors of his ancestors, by sacrificing his blood in the cause of his country; and that the sovereign had not, for a long series of

* "I would rather," said Louis XII. of France, in answer to some satirical reflections on his too rigid attention to œconomy, "that my courtiers should laugh at my parsimony than that my subjects should weep at my prodigality." This was nobly spoken: But what would that monarch, so justly celebrated for his beneficence and patriotism, have said to a conduct which united at once the extremes of parsimony and prodigality?

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years past, a more loyal set of subjects than the Highlanders of Scotland and their chieftains. Of this the late lord Chatham was deeply sensible, and that illustrious statesman had publicly recognized the rectitude of the measure now proposed. And he trusted, that the remains of a system, which, whether directed at first by narrow views or sound policy, ought certainly to be temporary, would be completely annihilated under the administration of his son. He did not however mean, that the estates should be freed from the claims existing against them at the time of forfeiture. This might be regarded as a premium for rebellion. He therefore proposed the appropriation of such sums, amounting to about eighty thousand pounds, to public purposes; fifty thousand of which he would recommend to be employed in the completion of the grand canal reaching from the Frith of Forth to that of Clyde. This bill was received in a manner which did honour to the feelings of the house. Mr. Fox in particular, with his usual generosity, bestowed upon it the highest encomiums, and professed himself deterred only by the lateness of the session from endeavouring to enlarge its operation to what he conceived to be its just and proper extent. Nevertheless, when the bill was sent to the lords, it met with a most determined and malignant resistance from the lord-chancellor, who expatiated with much satisfaction

on that maxim of antient wisdom, which pronounced treason to be a crime of so deep a dye, that nothing less was adequate to its punishment than the total eradication of the person, the name, and the family, out of the community. Happily, on dividing the house, this nobleman was left in a small and disgraceful minority, and the bill finally passed with that public approbation and applause it so justly merited.

An end was put to the session August 20, 1784, the king returning his warmest thanks to the two houses for their zealous and diligent attention to the public service. He predicted the happiest effects from the bill for the better government of India. He spoke in terms of high commendation of the laws enacted for the improvement of the revenue. He thanked his faithful commons for their provision for the arrears of the civil list; deploring, nevertheless, in the accustomed style, the *unavoidable burdens* imposed upon his people. He noticed the definitive treaty with Holland, and the peace concluded in India; and trusted, from the assurances of foreign powers, that the present tranquillity would prove of permanent duration.

Short interval of happiness and repose.

In the interval between the prorogation of the parliament and its re-assembling in the course of the ensuing winter, the nation enjoyed a flattering and delightful repose. Highly gratified with the

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recent change which had taken place, they viewed with unbounded complacency and confidence the minister now at the head of affairs; and indulged the most fond and sanguine hopes, that under his auspices Britain would be restored to her former enviable state of prosperity and greatness: and the name of PITT, endeared by the recollection of all that can interest the feelings of a generous and grateful people, seemed anew consecrated to patriotism, to liberty, and to virtue.

State of Ireland.

Ireland, however, at this period, exhibited a very dissimilar picture. The political tempest which had agitated that kingdom during the latter years of the late war had not yet subsided. Much had indeed been acquired, but much also yet remained to be done. The two questions which at the present juncture chiefly occupied the public attention were those which related to the state of their commerce and the state of their representation.

So long since as the 1st of July 1783, the delegates of forty-five volunteer corps had assembled at Lisburne, in the county of Antrim, to consider of the measures proper to be adopted, in order to effect a reform in the national representation. A committee was by them appointed to meet at Belfast, at the head of which presided colonel Sharman. By this committee letters were addressed to many persons in the sister kingdom

most distinguished for their talents, their virtues, and their zeal in the cause of liberty, requesting their advice and opinion on this important subject; among these were the Duke of Richmond, lord Effingham, Mr. Pitt, Dr. Price, and Dr. Jebb. The most remarkable of the answers returned to this committee was that of the Duke of Richmond, who recommended with great force, and in the most decided language, the plan of UNIVERSAL SUFFRAGE. "I have no hesitation in saying," such is the memorable declaration of this bold reformer, "that from every consideration which I have been able to give to this great question that for many years has occupied my mind, and from every day's experience to the present hour, I am more and more convinced that the RESTORING the RIGHT of VOTING UNIVERSALLY to every man not incapacitated by nature for want of reason, or by law for the commission of crimes, together with ANNUAL ELECTIONS, is the only reform that can be effectual and permanent. I am further convinced that it is the only reform that is practicable. All other plans that are of a palliative nature have been found insufficient to interest and animate the great body of the people, from whose earnestness alone any reform can be expected.—A long exclusion from any share in the legislation of their country had rendered the great mass of the people indifferent whether the monopoly that subsisted conti-

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nued in the hands of a more or less extended company, or whether it is divided by them into shares of somewhat more or less just proportion. The truth is that the people have been so often deceived, that they will now scarcely trust any set of men; and nothing but self evident conviction that a measure tends effectually to the recovery of their rights, can, or indeed OUGHT, to interest them in its favor."

The meeting at Lisburne was quickly followed by an assembly of delegates held at Dungannon, for the province of Ulster; at which the earl of Charlemont, generalissimo of the volunteer corps throughout the kingdom; Mr. Conolly, considered as the first commoner in point of property; and the bishop of Derry, brother to the late earl of Bristol, nominated in the year 1766 to the lord-lieutenancy of Ireland, were present. The provinces of Leinster and Munster followed the example of Ulster—a NATIONAL CONVENTION was appointed to be held at Dublin on the 10th of November.

Such was the posture of affairs in that kingdom, when the parliament of Ireland, recently elected, met on the 14th of October, 1783. The earl of Northington opened the session with a judicious speech, in which he professed to anticipate the greatest national benefits from the wisdom and temper of the new parliament. On the very first

day of the session the thanks of both houses were voted to the different volunteer corps of Ireland for their public services: and a farther proof of the independent spirit now prevalent appeared in the resolution proposed by lord Mountmorres, and which received the sanction of both houses, "That, in the present state of the kingdom, it was expedient that there should be a session of parliament held every year."

National convention held at Dublin.

On the 10th of November the national convention met agreeably to their appointment. Of this formidable assembly the earl of Charlemont was elected president. On the motion of the bishop of Derry, a committee was forthwith appointed to digest a plan of reform, who in a short time reported their opinion, That every *Protestant freeholder*, or leaseholder, possessing a freehold or leasehold for a certain term of years of forty shillings value, resident in any city or borough, should be entitled to vote in the election of member for the same: That decayed boroughs should be enabled to return representatives by an extension of franchise to the neighbouring parishes: That the suffrages of the electors should be taken by the sheriff or his deputies on the same day at the respective places of election: That pensioners of the crown, receiving their pensions during pleasure, should be incapacitated from sitting in parliament: That every member of parliament accepting a pension

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for life, or any place under the crown, should vacate his seat: That each member should subscribe an oath, that he had neither directly nor indirectly given any pecuniary or other consideration, with a view of obtaining the suffrage of any elector: Finally, That the duration of parliament should not exceed the term of three years. This report was received by the convention with great applause, and resolutions to the same purport unanimously passed.

Mr. Flood's motion for a reform in parliament.

On the very next day Mr. Flood, long known by his able and eloquent exertions in the cause of liberty, moved the house of commons, for leave to bring in a bill for the more equal representation of the people in parliament. It now appeared that the coalition ministers, as yet in the zenith of their power, had formed a fixed determination to oppose to the utmost the encroachments of a dangerous and armed democracy, unknown in their newly-assumed capacity to the laws and to the constitution.

Mr. Yelverton, attorney-general, declared that the question thus introduced did not deserve to be discussed, but that it ought to be regarded as an insult upon the house. If the bill originated, as it was notorious it did, with a body of armed men, they should decidedly set their faces against receiving it. They did not sit there to receive propositions at the point of the bayonet. He en-

tertained an extreme reverence for the volunteers, for the essential services they had conferred on their country; but when they formed themselves into a political body, to discuss the modes of reforming parliament, and to regulate the affairs of the nation—when they would probe the wounds of the constitution with the sword—he would be their most determined opponent. The question was now, Whether the national convention or the parliament of Ireland were to legislate for the country? What phænomenon was it they had so lately seen? Armed men drawn up in files, preparing the way for other armed men, resorting in fastidious pomp to a general assembly, and displaying all the ostentation of a real parliament! Would they submit to this? Was it decent for parliament to enter into any sort of compromise with this congress? Were the members of that house free in their deliberations while this military congress was sitting? No: it was necessary they should say to the volunteers—"You have obtained a constitution and commerce; and now, instead of dictating to the legislature of the kingdom, go to your own homes, change your attire, and turn your swords, no longer needed for the defence of your country, into plough-shares and pruning-hooks." This speech, seconded by the efforts of Mr. Pelham, secretary to the lord-lieutenant, and other zealous partisans of government, was deci-

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sive; and notwithstanding the ardent exertions of the rival patriots, Mr. Flood and Mr. Grattan, the house at a very late hour divided—Ayes 77, noes 157.

Desirous to fix a still farther stigma on the measures of the convention, it was immediately moved by Mr. Yelverton, "That it was now necessary to declare that this house would support the rights and privileges of parliament against all encroachments." This resolution being carried by a great majority, an address to the king was moved, expressive of the sense felt by the house of the blessings they enjoyed under his auspices, and assuring him that they were determined to support inviolate the present constitution with their lives and fortunes. In this address the lords concurred. A protest, however, signed by the earl of Charlemont and four other peers, was entered in the journals of the house against it.

Mr. Flood reported to the national convention, at their sitting of the 1st of December, the conduct of the house of commons; but far from displaying any symptoms of resentment, or even surprise, they came only to a tame and unintelligible resolution, "That they would carry on individually such *investigations* as might be necessary to complete the *plan* of parliamentary reform;" not adverting to their recent and unanimous approval of a plan of reform, which they now virtually dis-

carded as incomplete. But their humiliation was yet more apparent in the address voted on the following day to the king, on the motion of Mr. Flood, in the name of the delegates of all the volunteers of Ireland, "expressive of their duty and loyalty, claiming the merits of their past exertions, and imploring the king that their humble wish to have certain manifest perversions of the parliamentary representation of that kingdom remedied by the legislature in some reasonable degree might not be attributed to any spirit of innovation, but to a sober and laudable desire to uphold the constitution, to confirm the satisfaction of their fellow subjects, and to perpetuate the cordial union of both kingdoms." This act of passive obedience and submission being ended, the convention adjourned *sine die*.

So unexpected and extraordinary a termination of a business which had previously wore so menacing and formidable an aspect merits some attention. The convention probably did not at all expect a conduct so spirited and decisive on the part of the house of commons. If they resolved on the prosecution of their plan, in direct contravention to the declared sense of the house, the most alarming consequences might be expected to ensue. Exclusive of the personal risk which they must in that case necessarily incur as members of an illegal and TRAITOROUS assembly, they unques-

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tionably neither wished themselves, nor was it by any means clear that their constituents were prepared to support them in any attempt, to subvert the established government by force. The prospect of ultimate advantage bore no proportion to the certainty and magnitude of the evil to be encountered. Another consideration of the greatest moment was, that this convention well knew they did not really possess the confidence of the nation, taking that term in its proper and most extensive sense. It was an undoubted fact that more than two thirds of the inhabitants of the kingdom were Catholics, who, if the proposed plan of reform had been adopted, would receive no benefit from it, and who were of course wholly indifferent as to the success of it. By some daring and decisive spirits it was indeed proposed, at the provincial meetings, to place the Catholics, in the new order of things, precisely upon the same footing with the Protestants. This would indeed have given irresistible weight to the application; but men capable of cool and sober reflection, though firm and zealous friends to safe and moderate reform, were with reason startled at the idea of so novel and hazardous an experiment.—The notion of abstract rights, founded on a false metaphysical theory, will never operate powerfully but on the minds of speculatists, who, remote from scenes of action and danger, "dream over books, and leave mankind unknown."

The real practical enquiry with the generality of persons on this grand question of UNIVERSAL SUFFRAGE, as it undoubtedly ought to be on all occasions of a political nature, was—What will be the EFFECT PRODUCED? And it was obvious that the recognition of this claim would at once throw the entire power of the kingdom into the hands of the Catholics; and no credulity could surely reach that degree of infatuation, as to expect a body of men so ignorant, bigoted, and ferocious, as the collective mass of the Irish Catholics, to make a wise and temperate use of the power thus preposterously put into their hands. To reform the government and constitution upon Protestant principles, and still to preserve the *Protestant ascendancy*, was all that, in present circumstances, the state of the kingdom would bear, and all that an enlightened benevolence would consequently aim to accomplish. A liberal and patriotic Protestant government would undoubtedly relieve the Catholics from all positive penalties, and grant them a participation of all civil rights and privileges consistent with a regard to its own safety. And in consequence of the gradual and certain diffusion of knowledge under a mild and beneficent government, there was good reason to hope that the time would at no very distant period arrive, when all distinctions might be safely and for ever extinguished. The national convention saw clearly

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the dilemma to which it was reduced; but they chose what appeared to them the least of the two evils: and rather than call in the aid of the great body of Catholics, without which their strength was unequal to the contest, they submitted quietly and tamely to the chastisement of that government whose authority they had insulted, and in a manner defied—incurring by this means the censure of the moderate for their violence, and of the violent for their moderation.

The parliament of Ireland adjourned for the Christmas recess, on the 22d of December, 1783. Previous to their re-assembling, that memorable ministerial revolution had taken place in England which advanced Mr. Pitt to the helm of government; and the duke of Rutland had in consequence superseded the earl of Northington in the viceroyalty of Ireland.

Mr. Flood's second motion of reform.

On the 13th of March, 1784, Mr. Flood renewed his motion, as it was hoped, by the friends of parliamentary reform, under more favorable auspices—the new English minister having distinguished himself as one of its most eloquent and zealous advocates. Mr. Yelverton having been for his recent services promoted to the high station of lord chief-baron of the court of Exchequer, Mr. Fitzgibbon, who succeeded him in the office of attorney-general, opposed the present motion

with equal zeal, though he allowed that, as it now came before the house in a regular and constitutional form, supported by numerous petitions from different parts of the kingdom, it was entitled to respect and attention. On the second reading it was nevertheless rejected on a division by 159 to 85 voices.

This decision was received with secret satisfaction by those friends of reform who dreaded the emancipation of the Catholics, as an evil yet greater than the permanent predominance of the present system of influence and corruption. But the murmurs of the majority were distinctly heard. The Ulster volunteers, who had from the commencement of the business stood conspicuous in the van, presented on a subsequent occasion an address to their general, the earl of Charlemont, expressing "their satisfaction at the decay of those prejudices which had so long involved the nation in feud and disunion, which, by LIMITING THE RIGHTS OF SUFFRAGE, and circumscribing the number of their citizens, had in a great degree created and fostered the aristocratic tyranny, the source of every grievance, and against which the public voice now unanimously exclaimed." The earl of Charlemont, in reply, coldly professed himself "free from every illiberal prejudice against the Catholics, but he could not refrain from the most ardent entreaties to the volunteers to desist from a pursuit that

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would fatally clog and impede the prosecution of their favorite purpose; and besought them not to indulge any opinion which must and would create disunion." This answer being assiduously circulated throughout the kingdom, effectually caused, or most sensibly heightened, that disunion which it professed to deprecate. The object itself seemed now relinquished in despair, and the triumph of the court was complete.

State of Irish commerce.

The other grand object to which the attention of the kingdom of Ireland was at this period directed, related to the actual state of her commerce. The free trade granted to the Irish nation had produced none of those advantages respecting which she had indulged such sanguine and credulous expectations. The manufacturers and lower classes of the people in general were exposed to all the evils arising from the extremest indigence; and it began to be clearly perceived, that while the present system of commercial intercourse with England subsisted, there was little prospect of a favorable change in the situation of Ireland. While all English manufactures and commodities were imported at a trifling per-centage *ad valorem* into the Irish ports, duties amounting nearly to a prohibition were imposed upon the produce or manufactures of Ireland, with ONE very important exception, that of LINEN, on the importation into England. The general voice of the people of Ireland

now loudly called for PROTECTING DUTIES, in order to foster the infant manufactures of that country, and to compel the inhabitants to consume the produce of native ingenuity and industry.

On the 31st of March Mr. Gardiner, member for the county of Dublin, in an able speech depicted the distresses of the kingdom, traced the cause, and pointed out the remedy. He contrasted the condition of the people of Ireland with that of the people of England. He asked, "What was the reason of so vast a difference? Were Irishmen less capable by nature of earning a livelihood than their neighbours? Was there any disadvantage in the nature of their climate; or was the situation of their country, a situation adapted to render them the general mart of Europe, such as to prevent their prosperity? No people were more laborious, more ingenious, or more active. There was not any branch of manufacture in which they were encouraged that they had not carried to an high degree of perfection. If then the evil did not arise from any of these causes, to what was it to be attributed, but to the vast importation of foreign articles, by which a home consumption was denied, and their manufactures nipped in the bud? Mr. Gardiner therefore called upon the house to copy the conduct of England, of France, and other commercial countries, by *protecting* their manufactures at home. From an adherence to

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the system now recommended, England, notwithstanding the pressure of an immense debt of two hundred and forty millions, had attained to a pitch of greatness truly astonishing." At the conclusion of his speech, Mr. Gardiner moved for an high duty on woollens imported into the kingdom.—This, after a very warm debate, was negatived by a vast majority, and the whole system of *protecting duties* ridiculed and reprobated as futile, visionary, and pernicious. At the failure of this second grand attempt at relief and reform the disappointment of the people kindled into rage, and the short-lived popularity of the new viceroy, founded on the extreme unpopularity in Ireland, no less than in England, of the preceding coalition ministry, was now in the space of a month—*a little month*—entirely at an end.

Such was the state of the metropolis at this period, that it was thought necessary to countermand the embarkation of several regiments destined to the East Indies, and to furnish the garrison of Dublin, consisting of about 4000 regular troops, with thirty rounds of powder and ball per man. Before the end of the session an address was unanimously voted by the house of commons to the sovereign, representing the distressed state of the kingdom, and praying for the establishment of a more advantageous system of commerce between Ireland and Great Britain; and on the

14th of May, 1784, the parliament was prorogued. The last measure adopted by this assembly seemed in some measure to calm the violence of the people, and to suspend the effervescence of their anger and discontent.

On the 7th of June an extraordinary meeting of the aggregate body of the citizens of Dublin was convened by the sheriffs, in which they came to several important resolutions declaratory of "the clear, original, and imprescriptible right of the people of Ireland to a frequent election, and an equal representation. They call upon the nation to unite with them in the measures necessary to its introduction, and in presenting petitions to the king for a dissolution of the existing parliament. They assert, that the force of the state consists in the union of the inhabitants—that an equal participation in ALL the rights of a man and a citizen was proper, henceforth, to engage all the members of the state to co-operate efficaciously for the greatest general good. Finally, that it would be of the happiest consequence to the prosperity of the state, and the maintaining of civil liberty, to extend to their brethren, the Roman-catholics, the RIGHT of SUFFRAGE, *as fully* as was compatible with the maintenance of the PROTESTANT GOVERNMENT.

In an address to the people of Ireland, they propose the election of five delegates from each

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county, city, and considerable town, to meet in Dublin, October 25th next ensuing, in NATIONAL CONGRESS. On the 9th of August, resolutions nearly similar were agreed to at the general meeting of the freeholders of the county of Dublin; and a petition was also voted by them to the king for a dissolution of the present parliament. On application being made to the lord-lieutenant to transmit these petitions to England, his grace without hesitation "declared it to be his duty so to do. At the same time he informed them that he should not fail to accompany them with his entire disapprobation, as they included unjust and indecent reflections upon the laws and the parliament of Ireland, and as they tended to foment fatal dissensions among the people."

The town of Belfast, distinguished much more for its zeal than its discretion in the cause of liberty, nearly at the same time voted a petition of a nature most extraordinary, and in the highest degree exceptionable, to the king, which they transmitted to Mr. Pitt, in order to its being presented by the minister to the sovereign. The prayer of the petition was, "That the king would be pleased to dissolve the present and to issue the writs necessary for the assembling of a new parliament, ACCORDING to the PLAN of REPRESENTATION which should be agreed upon in the NATIONAL CONGRESS of the 25th of October. Mr.

Pitt, in reply, very calmly and forcibly remarked, that he had undoubtedly been, and still continued, a zealous friend to a reform in parliament, but he must beg leave to say that he had been so on grounds very different from those adopted in the petition. What was *there* proposed he considered as tending to produce still greater evils than any of those which the friends of reform were desirous to remedy. He had great concern in differing so widely on this subject from a body of men who professed to be guided by motives of loyalty and reverence for the constitution: but, animated himself by the same motives, and sincerely anxious for the prosperity and freedom of every part of the British empire, he had thought it his duty to communicate to them his sentiments with fairness and precision*."

* Candour would induce us to hope that Mr. Pitt was at this period sincerely attached to the principle of parliamentary reform. His own friend and his father's friend, lord Camden writing confidentially (August 1784) from Ireland, to a nobleman of high rank in England, expresses himself in the following remarkable terms.—"There is one question which seems to have taken possession of the whole kingdom, and that is, the REFORM of PARLIAMENT, about which they seem very much in earnest. Who wish for that reform at home, cannot, with much consistency, refuse it to Ireland. And yet their corrupt parliament is the only means left to preserve the union between the two countries. But this argument will not bear the light, and no measure ought in my opinion to be adopted that is too scandalous to be avowed."

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Conscious of its strength, notwithstanding the extreme unpopularity of its measures, the government of Ireland did not long content itself with a cold expression of disapprobation at the proceedings now in contemplation. The 20th of September had been fixed upon as the day for electing five delegates to represent the city of Dublin in NATIONAL CONGRESS. A short time previous to the intended meeting, Mr. Fitzgibbon, the attorney-general, wrote a letter to the sheriffs, "expressing his astonishment at having read a public summons signed by them for this purpose—and declaring them responsible for such outrageous breach of their duty to the laws of their country, and signifying his resolution to proceed officially against them." The sheriffs, in a consternation at this menace, refused to take any part in the business. After some embarrassment and delay, five delegates were nevertheless chosen, and a resolution passed, declaring the conduct of the attorney-general to be a violation of Magna Charta. The attorney-general, holding this resolution in contempt, actually filed informations against the high-sheriffs of various counties for convening and presiding at similar meetings.

Second Irish National Convention.

Notwithstanding all obstacles, the NATIONAL CONGRESS met on the 25th of October. After a session of three days only, finding their numbers on the return very incomplete, they adjourned to the

20th of January 1785; having previously passed several resolutions, importing, that the appointment of that assembly, and the steps that had been taken, were in entire conformity with the constitution of Ireland.

Commercial propositions moved by Mr. Orde.

On the same day commenced the second session of the parliament of Ireland; and in a short time Mr. Orde, secretary to the lord-lieutenant, laid before the house, in a series of propositions, the grand commercial regulations, digested, during the recess, into a regular system. There were two plans, obviously and radically different, on which a permanent arrangement might be formed on the basis of equality—1. A system of mutual prohibition. 2. A system of mutual admission. The propositions, eleven in number, moved by Mr. Orde, were framed in conformity to the latter, and beyond comparison the wiser, of these opposite systems.

An arrangement founded on the basis of mutual prohibition, or, in the more favorite and fashionable language, of *protecting duties*, would have been fatal to the great staple manufactory of LINENS imported into England, not only duty-free, but with the positive advantage of a bounty on re-exportation. On the system of prohibition Ireland would have been totally deprived of the colonial traffic; and the city of Cork, the emporium of the kingdom, and the grand mart of the

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West-Indian and victualling trade, would have been precipitated from the height of prosperity into the depth of distress and ruin. It would have amounted to a virtual declaration of national enmity and hostility; and there was good reason to fear lest Ireland should have sunk under the weight of so unequal and dangerous a competition. On the other hand, the system of amicable equalization was open to very plausible and even serious objections.

Such was the prodigious inferiority of Ireland in almost every branch of traffic, that, were the high prohibitory importation duties repealed by England, there was but little ground to hope that Ireland would for many years to come find herself materially or sensibly benefited. It was urged by Mr. Flood and other members in the opposition, that the greater object was now about to be sacrificed to the less; Ireland asked for bread, and England had given her a stone; she had asked for protecting duties, and she was offered equalization; amid a parade of concession the real *desideratum* was withheld. This might be compared to the procedure of a certain company of strolling players, who advertised the tragedy of Hamlet, in which the part of Hamlet was, by particular desire, to be omitted. By the proposed regulations Ireland was indeed at liberty to send her woollens to Leeds and Halifax, and her coals

to Sunderland and Newcastle. England would not suffer, even under the new system, the exportation of her raw wool to Ireland; but then Ireland was at liberty, when the quality of her wool was improved, and the price lowered, to retaliate, by prohibiting the exportation of Irish wool to England—and this was called equality. The starving woollen-manufacturer of Ireland was in the mean time left to perish; and if he presumed to complain, he was told that he ought to rest satisfied, for that the linen manufacture would, under the new system, flourish more than ever.

By the last proposition it was resolved, "that whatever sum the gross hereditary revenue of the kingdom should produce above the amount of the regular peace establishment, should be appropriated towards the support of the naval force of the EMPIRE, in such manner as the parliament of Ireland shall direct." This was inveighed against as a palpable collusion—an artifice by which a revenue was to be raised in Ireland, to be afterwards applied to the advantage of Great Britain. Had England, it was asked, ever entered into a war on the account of Ireland? Had she ever equipped a ship more than she would have done had Ireland been sunk into the abysses of the ocean? Were Ireland entirely independent of and unconnected with England, it was forcibly asserted that the minister who should form a

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treaty of commerce with England on the foundation of these resolutions would deserve to be impeached for sacrificing the essential interests of Ireland. In the heat and passion of debate, it was affirmed to be fortunate for Mr. Orde that he was at present in a civilized country; had he brought forward his plan in a Polish diet, he would not have lived to carry back his answer.

Notwithstanding these reasonings and invectives, the good sense and moderation of the house were well satisfied with the concessions made by England, so far surpassing what the most sanguine expectation a few years since could have ventured to indulge. The propositions were received not only with approbation, but with joyful applause, and were ultimately ratified by a very decisive majority of the house. In the mean time the NATIONAL CONGRESS had continued its sittings almost unregarded. In a brief and final address to the people of Ireland, this assembly observed "that if the abuses of former parliaments did not inspire a distrust of those which were to come—if the venerable opinion of those illustrious men who were now no more, and the assistance of those whose present labours co-operated with them in the same pursuit, had no influence to awaken their fears, to animate their efforts, and to invigorate their hopes, this and every other endeavour must sink into oblivion; and they would

shortly repose in indolent acquiescence, under such a representation as would gall themselves and their posterity with increasing taxes and oppressions."

Mr. Flood's third motion of reform.

After long delay, Mr. Flood, on the 12th of May (1785), presented once more his bill for effecting a reform in the representation, somewhat varied from that of the last year. A previous motion of the same senator, "that it be an instruction to the committee appointed to prepare the bill, that no borough in the province of Connaught having less than forty, or in the other provinces having less than seventy, electors, should be permitted to return more than one member to parliament," was negatived without a division. On the introduction of the bill, Mr. Brownlow observed, "that he greatly doubted indeed whether there was virtue enough in that house to pass the bill; but, whatever might be its fate, he would be bold to affirm, that sooner or later the reform so repeatedly denied WOULD and MUST be given." Mr. Flood remarked, "that when his first Bill of Reform was presented to that house, the objection was, that it was presented on the point of a bayonet—the *air-drawn dagger* of Macbeth had appeared to the affrighted imagination and conscience of the house. These apprehensions had at length subsided; a more favorable treatment might now therefore be reasonably expected. At

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least he called on the house to permit the printing of the bill, that the voice of the public might be heard respecting it; and not, like mutes in a seraglio, to strangle it on that day while in the act of challenging a fair and free trial and discussion." The bill was nevertheless with little ceremony rejected, on a division of 112 to 60 voices.

Session of parliament.

It is now proper to revert to the state of affairs in England. On the 24th of January (1785) the session was opened by a speech from the throne, the principal feature of which was the recommendation of the king to the two houses of parliament, "to apply their earnest attention to the adjustment of such points in the commercial intercourse between Great Britain and Ireland as are not yet finally arranged." The first business which attracted the notice of the house of commons was the state of the Westminster scrutiny, which had now existed for a period of eight months. In this time two parishes only had been scrutinized—the result was, that 105 votes had been struck off the poll of Mr. Fox, and 87 from that of sir Cecil Wray, the examination of which was not yet closed. Fifteen parishes more remained for future investigation; so that there existed but little apparent probability that the question relative to the return would be decided before the next general election. The miserable imbecility of what was now for the first time dignified by the appella-

Further proceedings on the Westminster return.

tion of the COURT OF SCRUTINY was exposed in the most sarcastic and contemptuous terms. The high-bailiff had no power to summon witnesses, to impose an oath, or to commit for contumacy. The scrutiny was evidently a mere personal act of revision, and the high-bailiff himself declared that he acted under the sole authority of the resolution of that house.

Mr. Pitt, however, condescended to vindicate the proceedings of this mock judicature, and maintained, with unaltered countenance, "that the expediency of the scrutiny was amply justified by the experiment." Mr. Fox, with generous and indignant warmth, replied, "that he well remembered the day when he congratulated the house on the acquisition of Mr. Pitt's splendid abilities; it had been his pride to fight in conjunction with him the battles of the constitution; he had been ever ready to recognize in the right honourable gentleman a formidable rival, who would leave him far behind in the pursuit of glory —but he had never expected that this rival would become his persecutor. He thought he had possessed an elevation of mind wholly incompatible with so low and grovelling a passion. He considered the present measure, with regard to Westminster, as a *succedaneum* to expulsion. The case of the Middlesex election, so much reprobated, had at least the merit of being more manly; for the

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procedure now adopted accomplished the same end of expulsion, without daring to exhibit any charge against the person expelled."

The motion of Mr. Welbore Ellis, "that the high-bailiff do attend at the bar of this house," was at length negatived, February 9 (1785), by a majority of 174 to 135 voices. This being such a majority as by no means discouraged future efforts, a similar motion was soon after made by colonel Fitzpatrick: this was negatived by a majority of nine voices only. And on the 3d of March, being a third time repeated by Mr. Alderman Sawbridge, it was carried in the affirmative, ayes 162, noes 124; leaving the minister, and the veteran phalanx of courtiers and *king's friends*, in one of the most disgraceful minorities ever known in the British house of commons.

Mr. Fox now, as member for Westminster, moved to expunge the resolutions of the 8th of June last, relative to this business, from the journals of the house; but the minister, now seriously alarmed, summoned all his strength to oppose this attempt to redeem the honour of the house thus wilfully and wantonly degraded: and on a division it was carried in the negative, ayes 139, noes 244. Fortunately for Mr. Pitt, the public attention was quickly turned to another and higher subject of political discussion, in which he appeared in a light far different—such indeed as

tended to revive in his favour all the former flattering prepossessions of those who viewed the late proceedings in parliament with inexpressible regret and astonishment.

Mr. Pitt's ultimate plan of parliamentary reform.

On the 18th of April (1785) Mr. Pitt brought forward his final plan for a reform in the representation, in some degree varying from his preceding attempts, and in all respects guarded, temperate, and judicious. "He rose (he said) with hopes infinitely more sanguine than he had ventured to entertain at any former period. There never was a moment when the minds of men were more enlightened on this interesting topic, or more prepared for its discussion. He declared his present plan of reform to be perfectly coincident with the spirit of those changes which had taken place in the exercise of the elective franchise from the earliest ages, and not in the least allied to the *spirit of innovation*. So far back as the reign of Edward I. before which the component orders of the representative body could not be distinctly traced, the franchise of election had been constantly fluctuating. As one borough decayed and another flourished, the first was abolished and the second invested with the right. Even the representation of the counties had not been uniform. King James I. in his first proclamation for calling a parliament, directed that the sheriffs should not call upon such decayed and ruined boroughs to

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send members to that parliament. For this discretion, as vested in the crown, he was certainly no advocate; but he wished to establish a permanent rule to operate like the discretion out of which the constitution had sprung—that the principle on which it was founded should be rescued from the accident and caprice in which it was unhappily involved. He wished to bring forward a plan that should be complete, gradual, and permanent—a plan that not only corrected the inequalities of the present system, but which would be competent to preserve the purity it restored, and give to the constitution not only consistency, but, if possible, immortality. Without a parliamentary reform (said this too prophetic statesman) the nation will be plunged into new wars; without a parliamentary reform you cannot be safe against bad ministers, nor can even good ministers be of use to you."—It was his design that the actual number of the house of commons should be preserved inviolate. His immediate object was to select a certain number of the decayed and rotten boroughs, the right of representation attached to thirty-six of which should be transferred to the counties, in such proportions as the wisdom of parliament might prescribe; and, that all unnecessary harshness might be avoided, he recommended the appropriation of a fund of one million to be applied to

the purchasing of the franchise of such boroughs, on their voluntary application to parliament. When this was effected, he proposed to extend the bill to the purchasing the franchise of other boroughs, besides the original thirty-six; and to transfer the right of returning members to large towns, hitherto unrepresented, upon their petitioning parliament to be indulged with this privilege."

The other most important particulars of Mr. Pitt's plan were the admitting of copyholders to an equality with freeholders, and the extending the franchise in populous towns, where the electors were few, to the inhabitants in general. The result of this plan was to give one hundred members to the popular interest in the kingdom, and to extend the right of election to one hundred thousand persons, who, by the existing provisions of the law, were excluded from it. This was a very wise and excellently digested plan, which did great honour to the framer; and the eloquence, ability, and vigour, with which it was supported, left no reasonable ground of doubt as to the sincerity with which it was brought forward.

The most important animadversion in the course of the debate to which this motion gave rise was made by Mr. Fox, who, justly remarking "that government was not a property, but a trust," strongly objected to the idea of purchasing

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franchises of boroughs which from their insignificance were no longer entitled to send members to parliament—" whatever was given for constitutional purposes should be resumed when those purposes were no longer answered." With this and some other less important exceptions, Mr. Fox bestowed upon the plan of the minister a very just and liberal tribute of praise; and it yet remains a doubt, whether, upon the ground of *expediency*, Mr. Pitt was not fully justified in proposing that regulation which the more unaccommodating and decided policy of Mr. Fox disdained to approve.

On the other hand, the whole plan was reprobated and ridiculed by Mr. Powys, as " the mere knight-errantry of a political Quixote. It was an example, a precedent, an incitement, to the wildest and most paradoxical *nostrums* that speculative theorists could devise. They got by it what Archimedes wanted—a foundation for their inventions—a *fulcrum* from which they could throw the parliament and constitution of England into the air. He could not contemplate it with any degree of patience. He should not treat it, therefore, with the ceremony of calling for the order of the day; but as its purposes were so hostile to the constitution, so menacing and unqualified, he would meet the question in front by giving it a direct and unequivocal contradiction. It cannot

be supposed owing to the superior force of such *arguments* as these, that on a division, after a long protracted debate, the bill was rejected by a majority of 248 to 174 voices.

Beneficial regulations of office.

In consequence of the very able reports presented from time to time by the commissioners of accounts appointed by act of parliament, Mr. Pitt, in the course of the present session, brought in three several bills, for the better auditing and examining the public accounts, and for the regulation and reform of the public offices, which passed both houses with much applause, and no material opposition. The balances of the Navy and Ordnance offices were by these bills ordered, as those of the paymaster of the forces by a former regulation, to be paid into the Bank. The antient mode of proceeding by the auditors of the Imprest was abolished as wholly frivolous and nugatory, though the perquisites of the auditors were estimated at no less than 34,000*l.* annually in times of peace, and during the war they had risen to a height incredibly enormous. A new and efficient commission of examination and control was instituted; many of the inferior departments of office, or heads of service, were consolidated; and the whole now assumed the appearance of a regular and rational system.

The remaining part of the floating arrear of debt, consisting of navy bills and ordnance deben-

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tures, was now funded on five-per-cent. stock; and the interest, amounting to above four hundred thousand pounds per annum, was provided by fresh taxes; one of which, a tax on retail shops, calculated at one hundred and twenty thousand pounds per annum, proved singularly obnoxious. It was said to be, under a new denomination, neither more nor less than a partial house-tax; and the whole body of retail traders were universally agreed, that it was utterly impracticable, for obvious reasons, to indemnify themselves by raising the price of their different commodities upon the consumer. By way of recompence or *douceur* to the shop-keeper, Mr. Pitt proposed, by a deed of unprecedented oppression, proceeding certainly from prejudice or inattention, rather than any fixed malignity of design, to revoke and take away the licence from all *hawkers and pedlars*, whom he styled "a pest to the community, and a nursery and medium for the preservation of illicit trade." That this class of traders were engaged in, and derived their chief support from, illicit practices, was a very heavy and serious charge, and ought to have been clearly proved at the bar of the house, in order to have justified a measure of such unexampled severity, and of a nature so highly penal. Far from being the *pests* of society, an impartial and disinterested person can discern in these itinerant traders only an industrious class of men,

Shop-tax imposed.

Unjust imposition on hawkers and pedlars.

who pursue an occupation perfectly innocent in itself, and highly useful to the inhabitants of small towns and villages, who would otherwise find it difficult to procure the various articles of merchandize with which they are thus occasionally supplied. Upon what principle of equity or justice any government could exercise the power of preventing these people from enjoying the fruits of their honest labour, and of devoting them to remediless ruin, it is surely difficult, or rather impossible, to discover.

Mr. Fox, struck with the inhumanity and utter indefensibility of the proposed regulation, generously and powerfully pleaded, in conjunction with Mr. Dempster, Mr. Courtenay, and other gentlemen, though with very incomplete success, in behalf of this friendless and unprotected description of men. In the result, the prohibition was changed to a heavy duty, which, combined with other severe restrictions, would, *it was hoped*, effect the same ultimate purpose. "Had we been informed," says a very intelligent and truly philanthropic writer (lord Gardenstone), speaking of this prohibitory regulation, "that Nadir Sha, or any other oriental despot, had invented a tax for the purpose of exterminating the object of it, we should naturally have exclaimed, that this was the extremity of oppression." The principle of this bill was in the course of the debate truly

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affirmed by Mr. Dempster to be no less iniquitous than that of the expulsion of the Moriscoes from Spain, or of the Huguenots from France.

Irish commercial propositions introduced into the English house of commons.

But the subject which chiefly engaged the attention of parliament during the present session was the projected plan of commercial intercourse with Ireland. In the opening of this important business, Mr. Pitt made some excellent observations on "the species of policy which had been long exercised by the English government in regard to Ireland, the object of which was, to debar her from the enjoyment and use of her own resources, and to make her completely subservient to the interest and opulence of this country. Some relaxation of this system had taken place indeed at an early period of the present century; more had been done in the reign of king George II.; but it was not till within a very few years that the system had been completely reversed. Still however the future intercourse between the two kingdoms remained for legislative wisdom to arrange; and the PROPOSITIONS moved by Mr. Orde in the Irish parliament, and ratified by that assembly, held out (he said) a system liberal, beneficial, and permanent.* If the question should

* These famous propositions, eleven in number, were in purport and substance, and divested of their technical form, as follow:

I. That it is the opinion of this committee, that it is highly

be asked, whether, under the accumulation of our heavy taxes, it would be wise to equalize the duties, and to enable a country free from those taxes

important to the general interest of the British empire, that the trade between Great Britain and Ireland be encouraged and extended as much as possible; and for that purpose, that the intercourse and commerce be finally settled and regulated on permanent and equitable principles for the mutual benefit of both countries.

II. That all articles, *not* the growth or manufacture of Great Britain or Ireland, should be imported into each kingdom from the other, reciprocally, at the same duties to which they are liable when imported directly from the place of their product; and that all duties originally paid on the importation into either country respectively shall be fully drawn back on exportation to the other.

III. That no prohibition should exist in either country against the importation of any article of the other, and that the duty on importation should be precisely the same in both countries, except where an addition may be necessary in consequence of an internal duty on any such article of its own consumption.

IV. That where the duties on articles of the product of either country are different on the importation into the other, they should be reduced where they are highest to the amount payable in the other; and that all such articles should be exportable from the kingdom into which they shall be imported, as free from duty as the similar commodities or home manufacture of the same kingdom.

V. That in all cases where either kingdom shall charge articles of its own consumption with an internal duty, the same articles, when imported from the other, may be charged with a duty adequate to countervail the internal duty.

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to meet us in their own market and in ours, he would answer, that Ireland, with an independent legislature, would no longer submit to be treated

VI. That no prohibition or new duty shall hereafter be imposed in either kingdom on the *importation* of any article the product of the other, except such additional duties as may be requisite to countervail the duties on internal consumption.

VII. That no prohibitions or new duties shall be hereafter imposed on the *exportation* of any article of native growth, except such as either kingdom may think expedient from time to time, upon corn, meal, malt, flour, and biscuit; and also, except where there now exists any prohibition not reciprocal, or duty not equal, in every such case the prohibition may be made reciprocal, or the duties raised so as to make them equal.

VIII. That no bounties whatever should be payable in either kingdom on the exportation of any article to the other, except such as relate to corn, meal, malt, flour, and biscuits, and such as are in the nature of drawbacks or compensation for duties paid; and that no bounty should be granted in Ireland on the exportation of any article imported from the British plantations, unless in cases where a similar bounty is payable in Britain; or where such bounty is merely in the nature of a drawback or compensation for duties paid internally, over and above any duties paid thereon in Britain.

IX. That the importation of articles from foreign states should be regulated in each kingdom, so as to afford an effectual preference to similar articles of the growth and produce of the other.

X. That it is essential to the commercial interests of Ireland to prevent as much as possible an accumulation of national debt; that therefore it is highly expedient that the annual revenue of this kingdom shall be made equal to its annual expence.

with inferiority. A great and generous effort was to be made by this country, and we were to choose between inevitable alternatives. Our manufactures however were so decidedly superior to theirs, that the immunities proposed would be in fact, and for many years to come, productive of little alteration. It would require time for the acquisition of both capital and skill; and as these increased, the difference between the price of labor there and in this country would be incessantly diminishing. After all, there might, he admitted, be some branches of manufacture in which Ireland might rival and perhaps excel England. But this ought not to give us pain. We must calculate from general and not from partial views. Above all, we should learn not to regard Ireland with an eye of jealousy. It required little philosophy to reconcile us to a competition which would give us a rich customer instead of a poor one. The prosperity of the sister kingdom would be a fresh and inexhaustible source of opulence to us."

XI. That whatever sum the gross hereditary revenue of the kingdom, after deducting all drawbacks, re-payments, or bounties granted in the nature of drawbacks, shall produce above the sum of six hundred and fifty-six thousand pounds in each year of peace, wherein the annual revenue shall equal the annual expence, and in each year of war, without regard to such equality, should be appropriated towards the support of the naval force of the empire, in such manner as the parliament of Ireland shall direct.

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These comprehensive and liberal ideas, so opposite to the wisdom and policy of past ages, were on this great and interesting occasion received by the British house of commons with general complacency and approbation, and by the public at large with apparent tranquillity and acquiescence. The vastness of the plan, and the multiplicity and complexity of the objects which it embraced, seemed to keep the public mind in a kind of suspense; and for near a month after its first introduction there were no indications discernible of serious or determined opposition. Mr. Fox, indeed, at the onset of the business, commenced the attack, by sarcastically observing, that far the greater part of Mr. Pitt's speech was little else than a reply to Mr. Orde in the Irish house of commons. In Ireland, the propositions had been stated as in the highest degree advantageous to that country, as rendering it the emporium of Europe, and the source and supply of the British markets. Here the great recommendation of the system was, that the benefits accruing to Ireland were, if not wholly visionary, at best trivial and remote;—that Ireland could not rival England;—that she was poor and feeble, and would very long, in all probability, remain so. He must, however, do Mr. Orde the justice to acknowledge, that his arguments were far the most solid and convincing. As to the report of the privy council, to whom the

consideration of this business had been previously referred, Mr. Fox remarked, "that a question which appeared to him of primary importance had been entirely overlooked by them; he meant the propriety and policy of permitting the produce of Africa and America to be brought into Great Britain through Ireland. By this measure, we threw down the whole fabric of our navigation laws. The period was not very distant when the charter of the East-India Company would expire; and, according to the tenor of the resolutions now proposed, there remained no power in this country to renew it with the same or indeed any exclusive privileges. Mr. Fox censured the precipitancy with which this business was urged, and contended for the necessity of calling the merchants and manufacturers to the bar of the house, in order that the house might be fully informed in a case of this momentous nature, before they proceed to vote a definitive resolution."

On the 14th of March, Mr. Eden moved, that the commissioners of customs and excise should be examined at the bar of the house; which was carried in the affirmative.

On the same day a petition was presented by Mr. Stanley, member for Lancashire, from the manufacturers of that county, praying to be heard by counsel against the bill. Petitions were like-

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wise presented from Liverpool, Glasgow, and Manchester. The malign spirit of commercial jealousy appeared to be at length thoroughly awakened, and petitions upon petitions were sent up to parliament in incredible numbers, from every quarter of the kingdom. At the end of a long and tedious investigation of facts and examination of witnesses, Mr. Pitt was reluctantly compelled to acknowledge the necessity of making some material alterations and amendments in his original plan.

Irish propositions altered and new-modelled.

On the 12th of May, 1785, Mr. Pitt brought forward, in consequence of the additional lights thus thrown upon the business, a series of propositions, so altered, modified, and enlarged, as to exhibit in its new form what might well be considered as a new system.

Mr. Fox, in the language of triumph, congratulated the house on the happy escape they had made from the system proposed by the chancellor of the exchequer but two months since, all opposition to which was then treated as the effect of faction and disappointment. "If (said Mr. Fox) the original resolutions had passed, we should have lost for ever the monopoly of the East-India trade; we must have hazarded all the revenue arising from spirituous liquors; we should have sacrificed the whole of the navigation laws of this country. If these resolutions had passed into a

law, we should have risked the loss of the colonial market for the manufactures of Great Britain, and incurred the most extensive danger to the colonies themselves; we should have left it in the power of Ireland to have drawn a revenue from our consumption. The just alarm of the minister on the subject of the navigation laws (Mr. Fox said) sufficiently appeared from the extraordinary nature of the remedy he had thought it expedient to adopt, which was no other than to assert that, notwithstanding the independence of Ireland, she must still, in commercial laws and external legislation, be governed by Britain." Mr. Fox affirmed, "that the wild scheme of extravagant speculation comprised in the resolutions did not originate with the Irish nation. A stranger had been sent thither to offer a *nostrum* of his own invention for the relief of a disordered state. For the irritation and ill humour existing in that country ministers were responsible. The violences which they committed in Ireland merited the most decisive and general reprobation. Their attacks on the liberty of the press,—their endeavours to prevent legal meetings, for the purpose of deliberating on the best means of reforming the national representation,—their proceedings against men by summary attachment, were measures which might well be supposed to inflame the minds of the people of Ireland. Now imprudent insult was to be com-

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pensated by imprudent concession. But let the house beware of a design so insidious and ruinous as that of a commutation of English commerce for Irish slavery, the propositions, as they were even now modified, were far too complicated and extensive to be voted by the majority of the members of that house, on any other ground than that of confidence in the minister: and surely the right honourable gentleman had sufficiently demonstrated, that implicit confidence in him was as dangerous as it was absurd—that infallibility was no more his prerogative than that of the rest of the world." The house at length divided on the motion of adjournment, ayes 155, noes 281; and at eight o'clock in the morning, the first resolution, broken into two distinct propositions in the new arrangement, passed the house. The remaining resolutions were subsequently carried after an obstinate contest; and on the 30th of May they were carried up to the house of lords.

Here they were again the subject of long and laborious investigation; in the course of which the lords Stormont and Loughborough chiefly distinguished themselves on the part of the opposition. Various amendments, though not of very material import, were offered and received by the house. In the progress of the business the earl of Shelburne, recently created marquis of Lansdowne, made a remarkable speech, which, though not un-

favourable to the measure before the house, clearly manifested how little cordiality subsisted between that nobleman and the present minister, notwithstanding their former intimate political connection;—so frail are the friendships and so transient the attachments of statesmen!—The marquis entered into a very masterly survey of the construction and general effect of the proposed arrangement. He declared "the result of his enquiry to be very opposite to that of the merchants and manufacturers, however respectable, who had been examined at their lordships' bar. Though much valuable information might doubtless be derived from evidence, it must not be forgotten that they were men peculiarly subject to prejudice and error, in all cases where their personal interest was concerned. Were any one, for instance, to ask a manufacturer of Halifax, 'what was the greatest crime upon earth? was it felony, was it murder, was it parricide?' he would answer, 'No—none of these; it was the exporting of WOOL.' His lordship declared himself of opinion, that the unlimited commerce of Ireland would not create a formidable competition to England. Ireland, destitute as she was of the grand materials for ship-building, timber and iron, was incapable of the carrying trade, and had little capital. These were disadvantages not to be easily or speedily surmounted. The noble lord said, he was himself recently arrived from the groves of

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Bowood, and had not entered into any accurate or minute investigation of this business. But ministers must have been lost in the most criminal infatuation, if they had not prepared this great system with due and proper deliberation—if they had not made themselves masters of its bearings and tendencies. He placed the utmost reliance on the integrity and abilities of *the nobleman now at the head of affairs in Ireland, and on those of his secretary.* He was certain *they* would not disgrace themselves in a transaction to which they were in every respect equal. Delay he knew to be dangerous; something decisive must be done. If this were not the proper measure, what was to be substituted? Plausible objections might no doubt be adduced. It might be urged that the present system would be acceptable in neither kingdom;—that the author of it was too young, and was ignorant of what should constitute a minister;—that if others more competent to this task had remained longer in office, things would have been better and more satisfactorily settled. It might be said, 'How, in the name of God, did this man contrive to elevate himself to the rank of a minister?' We must however take things as we found them. The most serious interests of both countries were at stake, and the most alarming consequences might attend the postponement of this business."

The Irish resolutions were sent down from the

lords to the commons the 19th of July, 1785. After much fresh and eager debate, the amendments of their lordships were agreed to by the commons; and on the 28th of July an address was presented to the king by both houses of parliament, acquainting his majesty with the steps which had been taken in this affair; adding, "that it remained for the parliament of Ireland to judge of the conditions according to their wisdom and discretion, as well as of every other part of the settlement proposed to be established by mutual consent." The two houses now adjourned themselves to a distant day; and on the 30th of September, 1785, the parliament was prorogued by royal proclamation.

The amended propositions, increased to no less than twenty in number, having been transmitted to Ireland, Mr. Orde, on the 12th of August, moved for leave to bring in a bill for establishing the system of commercial intercourse therein contained. This minister defended the variations that now appeared, by alleging the natural progress of a measure of this nature. Ireland had, in the early part of the session, stated what she had thought herself entitled to claim, and Britain in return had declared what she was willing to concede. Mr. Orde averred, that the amendments and additions made by the British parliament to the original propositions did not in reality interfere with the prosperity of Ireland. Wishing, however, to fol-

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low the example of mature deliberation given by England, it was his intention, after bringing in the bill and printing it, to pause, in order to learn the sentiments of the country respecting it. Let the house receive every petition that could be brought; —let them listen to all the evidence that could be offered. On a comparison of the two sets of propositions, the magnitude and importance of the alterations strikingly appeared. By the third of the English resolutions, Ireland was virtually interdicted, even after the expiration of the charter of the East-India Company, from exporting articles to England, the growth and produce of any of the countries beyond the Cape of Good Hope to the Straits of Magellan. By the same resolution, this interdiction was extended to arrack and foreign brandy; also to rums and other strong waters not imported from the British colonies in the West Indies. By the fourth resolution, it was declared to be highly essential that the laws for regulating trade and navigation should be the same in both countries; and, for that purpose, that all laws which have been made, OR SHALL BE MADE, in Great Britain, securing exclusive privileges to the ships and mariners of Great Britain, Ireland, and the British colonies and plantations, and for regulating and restraining the trade of the British colonies and plantations, such laws imposing the same restraints and conferring the same benefits on the subjects of both kingdoms, should

be in force in Ireland, BY LAWS to be passed by the PARLIAMENT of that kingdom, for the SAME TIME and in the SAME MANNER as in GREAT BRITAIN. By the fifth resolution, this legislative power of regulation and control was in like manner extended to all goods and commodities imported into Ireland from the British or foreign colonies in Africa and America. By the sixth and seventh resolutions, the commercial intercourse between the two kingdoms was incumbered with many burdensome and rigorous regulations respecting bonds, cockets, certificates, &c. in order effectually to repress all illicit practices apprehended from the circuitous commerce granted to Ireland. By the eighth, the regulating power of Britain is extended to all goods exported from Ireland to the British colonies in the West Indies, America, or the coast of Africa. By the ninth, Ireland is excluded, so long as the charter of the East-India Company shall exist, from trading to any port beyond the Cape of Good Hope to the Straits of Magellan; and during the continuance of the said charter, no goods of the growth, produce, or manufacture of India shall be allowed to be imported into Ireland but through Great Britain. By the fifteenth resolution, the bounties allowed by Great Britain on the exportation of beer to Ireland, and spirits distilled from corn, are expressly continued. By the sixteenth, it is provided, that all goods the

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produce of the North-American States, which are subject to higher duties on importation into Great Britain than the like goods the produce of the British colonies—such articles shall be subject to the same duties on importation into Ireland.

These were the grand and leading features of difference between the old propositions and the new: and so great was the dissimilarity, that the Irish parliament seemed scarcely to recognize the traces of its own original creation. A general sentiment of amazement and indignation seemed to pervade the house; and the FOURTH RESOLUTION in particular, by which England assumed a power of legislative regulation and commercial control with respect to Ireland, was rejected with a kind of horror.

Mr. Grattan, who had supported the propositions in their primitive form, now exerted the whole force of his eloquence to expose them to the public scorn and detestation. "What," said this powerful orator, "is this pretended equitable arrangement, but a plan to perpetuate to England all her advantages, and to Ireland all her disadvantages? Ireland is required to grant a monopoly of the trade of India to the present East-India Company during its existence, and to Great Britain for ever after. This is not a surrender of the political rights of the country, but of the natural prerogatives of man—not of the privileges of parliament,

but of the rights of nations. They were not to sail beyond the Cape of Good Hope and the Straits of Magellan—an awful interdict! Other interdicts extended to a determined period of time, but here was an eternity of restraint. Other interdicts extended to particular places, for local reasons; but here regions of immense extent were indiscriminately forbidden, and the bounties which Providence had given they were prohibited to enjoy. It resembled a judgment of GOD rather than an act of legislature, whether they measured it by extent of space, or infinity of duration—and had nothing human about it except its presumption. The principle of equal duties and equal restrictions (Mr. Grattan said) did not constitute an equality of participation, because the condition of the two countries was totally dissimilar. Supposing Great Britain, in order to answer the exigency of some future war, or to fund her present debt, should raise her colony duties still higher, Ireland must follow; not because she wanted the tax, but lest her exemption from taxes should give her manufacturers any comparative advantage. Irish taxes were to be precautions against the prosperity of Irish manufactures. Nay, worse than this; the propositions in question would make English jealousy the barometer of Irish taxes. The exclusion of foreign plantation produce would have seemed sufficient for every purpose of power and

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dominion; but, for the purpose of aggravation and insult, the independent States of America were most ungraciously brought into the arrangement, and expressly named, as if North America continued a part of the British dominions. This was called a system of concession and compensation; but (said Mr. Grattan) the people of Ireland, *without* compensation, obtained a colony trade, a free trade, the government of their army, the extinction of the unconstitutional powers of the council, the restoration of the judicature of their lords, and, finally, the independence of their legislature. Let them see now what they obtain *by* compensation:—A covenant not to trade beyond the Cape of Good Hope and the Straits of Magellan;—a covenant not to take foreign plantation produce,—not to take American produce but as Great Britain shall permit;—a covenant not to take British plantation produce but as Great Britain should prescribe;—a covenant never to protect their own manufactures, never to guard the *primum* of those manufactures. Surely some god presided over the welfare of Ireland, who made it wisdom to fulfil their duty, and who annexed the penalties of folly as well as infamy to the surrender of their privileges. From the consideration of commerce," said this animated orator, "I proceed to a question much more high and inestimable—before which the ideas of protecting du-

ties, of reciprocal duties, of countervailing duties, vanish into nothing; and by the tendencies of which, the prudence of every head and the energies of every heart are called forth to shield the newly-acquired rights of a nation, so long depressed, and so recently and wonderfully emancipated. If any body of men could think the Irish constitution incompatible with the unity of the British empire, a doctrine which he abjured as sedition against both, he would answer, 'Perish the empire! live the constitution!' No transfer of legislative authority could be made. They, the limited trustees of delegated power, born for a particular purpose, confined to a particular line, and bearing an inviolable relationship to the people who sent them to parliament, could not break that relationship, counter-act that purpose, and surrender, diminish, or derogate from those privileges they lived but to preserve. The propositions granted a perpetual money bill—a money bill to continue as long as Great Britain shall please, with a covenant to increase it as often as she shall require. The trade and the purse of the nation were alike in covenant. Pass this bill, and they had no constituents; their constituents had no representatives:—they were the mere register of the British parliament, and the equalizer of British duties. But have you traced the map of the globe? Have you marked there the countries, the right of trad-

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ing to which you are to surrender for ever? Have you surveyed the settlements of the several European nations in Asia, in Africa, in America? Have you considered the state of North America—its present situation, its future growth, and every incident in the endless succession of time that may attend that nurse of commerce and ASYLUM of MANKIND? Are you competent to declare, that a free trade to those vast regions will never in the efflux of time tend to the advancement of the interests of Ireland? If you possess satisfactory information upon this subject, it must be by inspiration, not by knowledge.—Let us then guard our free trade and free constitution as our only real resources. They are the result of great virtue, of much perseverance, and the source to this house of immortal honor. Let us preserve uncontaminated to the latest generations the dignity of parliament, the majesty of the people, and the imperial sovereignty of the Irish crown and nation." The feelings of the parliament and of the people of Ireland were on this subject in perfect unison. Scarcely could the great and acknowledged talents of Mr. Fitzgibbon obtain him any share of attention when he rose to speak in vindication of a measure so supremely obnoxious. "If England relaxed her navigation laws in favor of Ireland, she had a right (Mr. Fitzgibbon affirmed) to expect to be followed by her in a code of laws which

had been the source of her commercial opulence, and the basis of her maritime strength. It had been insinuated, that they could trade to more advantage with the colonies of foreign states. But what foreign states would allow them to trade with their colonies? Who was to protect them if foreign states refused to do them justice? Or who was to assert their rights, supposing them to be violated? When an arrangement so advantageous was offered to Ireland, for what reason was it that she hesitated and demurred? Because she is told that the treaty struck at the independence of her legislature. But it is as an independent power that Ireland has negotiated. It is as to an independent power that the overtures of Britain are made. An arrangement of trade could not be agreed upon between two nations, unless they settled at the same time principles of mutual restriction; and if the Irish nation would never condescend to promise compliance with any condition of a treaty, she must determine never to make any commercial treaty, or any treaty whatever." Mr. Fitzgibbon concluded a most able speech, by remarking, "that whatever might have been intimated concerning the possibility of Ireland standing alone, he was convinced that, situated as she was in the neighbourhood of powerful Popish countries, with a great majority of her people of the Popish religion, she could not exist one hour

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as a Protestant state if the protection of England were withdrawn." After a vehement debate, in which both parties exerted their utmost ability and eloquence, the house divided at nine in the morning upon the motion of Mr. Orde for leave to bring in the bill, ayes 127, noes 108. Such a division in the first stage of the business was equivalent to a defeat: and on the Monday following, Mr. Orde moved the first reading of the bill and the printing it; declaring, that he did not intend to make any further progress in the business during the present session. He had completed his duty respecting it. If it were revived, it must be by a motion from the public, who at the commencement of the ensuing session might take such further steps as they thought proper.

Their final rejection by the Irish parliament.

In order to preclude a motion of censure framed by Mr. Flood, the secretary then moved an adjournment; and Mr. Flood consenting, not without difficulty, to wave his motion, the adjournment was carried without a division. Public illuminations testified the joy excited by the sudden termination of this extraordinary business; and from this period no effort has been made in either kingdom to revive in any shape this important and interesting discussion.

Upon the whole, though it might perhaps justly be regarded as too daring an experiment, the probability is, that a commercial treaty founded on

the basis of the original propositions would have proved very beneficial in practice. The prodigious inferiority of skill, of credit, and of capital, must have effectually prevented Ireland from becoming formidable as a competitor to England; and in proportion as Ireland advanced in opulence, her artificial wants would have increased, and consequently her consumption of British manufactures and commodities.

Notwithstanding the great alarm excited when the first commercial concessions were made to Ireland, no detriment was in fact sustained by Great Britain: on the contrary, the trade to England continued rapidly to increase, even in regard to those very articles which Ireland was allowed to import from the place of their growth and produce. From the year 1781 to the year 1784 muscovado sugars imported from the West Indies rose from 7,384 cwt. to 27,492 cwt.; and in the same term sugars imported from Britain rose from 130,056 to 160,083 cwt. Another remarkable fact is, that the linen manufacture both in England and Scotland has flourished with constant and regular acceleration, notwithstanding the unlimited competition of the Irish nation. According to a seven years' average, ending A. D. 1755, not more than 576,373 yards were exported from England; and in the year 1771 the export amounted to no less than 4,411,040 yards. Why

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then might not a similar competition be as safely and advantageously established in other branches of commerce? These arithmetical statements shew to a demonstration the extreme weakness and futility of those fears and apprehensions which are so apt to agitate the mercantile world at the slightest breath of innovation, and their total incompetency to deduce, from a comprehensive and impartial survey of the whole system, just and accurate conclusions. Considering, nevertheless, the narrow limits of the highest human sagacity, it must be acknowledged that prudence would have dictated a temporary duration to this commercial arrangement, in order to bring the utility of it to the infallible touchstone of experience. As to the fourth proposition of the English series, which was the immediate cause of the virtual rejection of the whole, it might in all probability have been very safely dispensed with, as there is no reason to doubt but that Ireland would have spontaneously adopted with good-faith and good-will any regulations necessary to enforce a treaty which she found upon the whole conducive to her prosperity; and the perpetuity of which must have been, in some mode explicit or implicit, made to depend upon such adoption.

Session of parliament.

The parliament of Great Britain, after a tranquil interval of a few months, met on the 24th of January, 1786. In the speech from the throne

the king declared to the house of commons his earnest wish to enforce œconomy in every department; recommended to them the maintenance of our naval strength on the most respectable footing; and above all the establishment of a FIXED PLAN for the reduction of the NATIONAL DEBT. Nothing remarkable passed until about the middle of February, when the estimate of the ordnance was brought up in the Committee of Supply. Upon this occasion Mr. Pitt called the attention of the house to the plan laid before them in the course of the last session, under the sanction of the duke of Richmond, master-general of the ordnance, for FORTIFYING the DOCK-YARDS of the kingdom; the propriety of which it was then agreed to refer to a board of land and sea officers, whose report Mr. Pitt stated to be in the highest degree favorable to the plan of fortification submitted to their decision; but the report itself he declined, as a matter of too serious and delicate a nature, to lay before the house.

Fortification project of the duke of Richmond.

The discontent and surprise manifested when the question was last year under discussion now rose into great warmth of indignation and resentment. "If the report or the essentials it contained were not to be in some mode subject to the inspection of the house, they were, it was affirmed, in exactly the same situation in which they had stood before the Board was appointed. They must

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decide, not upon their own judgments, but in deference to the authority of others. But the house of commons were not justified in voting away the money of their constituents upon the grounds of passive complaisance and courtly submission. The expence attending this novel system would be enormous, and it was their duty before they adopted it to be fully convinced of its necessity."

General Burgoyne, who was one of the Board, controverted the assertion of Mr. Pitt as to the entire approbation expressed by them of the system in question. "It was well known (he said) that cases hypothetically put admitted only of a direct answer given under the admission of the hypothesis. It remained to be ascertained, whether the case thus hypothetically put was sufficiently within the limits of probability to deserve attention. Several of the cases on which the Board were called upon to decide were mere *postulata*, and hypothetically as extravagant as if it were asked, Suppose by some convulsion of nature the Straits of Dover should vanish out of existence, and the coasts of England and France were to unite, would it not be expedient to fortify the isthmus between the two countries?"

Mr. Pitt, waving the farther discussion of the question for the present, declared his determination to bring the business in the most specific and solemn manner before the house. He accordingly

after a short delay moved a resolution, "That it appeared to the house, that to provide effectually for securing the dock-yards of Portsmouth and Plymouth by a permanent system of fortification was an essential object for the safety of the state, &c. &c." A violent debate arose, in the course of which no member distinguished himself so eminently as Mr. Sheridan, a gentleman who had been for some time gradually rising to a very elevated height of parliamentary reputation; and previous to his introduction into the house of commons the public had long known and admired the brilliant talents of this second Congreve in dramatic literature. Mr. Sheridan stated forcibly the danger to which the constitution would be exposed in consequence of this vast addition to the military power of the crown. "These strong military holds, maintained by numerous and disciplined garrisons, would afford tenfold the means of curbing and subduing the country as would arise from doubling the present army establishment. Could any one, (he exclaimed) possibly imagine that the system now recommended was to end with Portsmouth and Plymouth, and that the reasonings of the minister would not apply to other parts of the kingdom? No—we were to figure to ourselves the same board of officers, acting under the same instructions, and deliberating with the same DATA, going

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a circuit round the coasts of the kingdom. He wished to see the estimate for the stationary defence of such places as Chatham, Sheerness, &c. in addition to the two-and-twenty thousand men demanded for Portsmouth and Plymouth. Mr. Sheridan professed, nevertheless, his readiness to abide by the decision of the board of officers, if it could be fairly shewn that, upon a full and unfettered investigation of the subject, they had reported it as their clear and unqualified opinion that the plan proposed by the duke of Richmond was such as it became the wisdom of parliament to adopt. But if the professional abilities of the duke of Richmond were ill-employed in the fabrication of so wild a project, it must be acknowledged they conspicuously appeared in the planning and constructing the report in question. There were certain detached *data*, like advanced works, to keep the enemy at a distance from the main object in debate. Strong provisions covered the flanks of his assertions. His very queries were in casemates. No impression, therefore, was to be made on this fortress of sophistry by desultory observations; and it was necessary to assail it by regular approaches. Much ingenuity likewise had been shewn in extracting such parts of the report as were deemed most favourable to the proposed system. The minutes which contained the opinion of the naval officers in condemnation of the plan were wholly

omitted, because they were mixed with matter of such dangerous import that no chemical process known in the ordnance elaboratory could possibly separate them; while on the contrary every approving opinion, like a light oily fluid, floated at the top, and was capable of being presented to the house pure and untinged by a single particle of the argument and information upon which it was founded."

The minister upon this occasion found himself very generally deserted by the country gentlemen or independent interest in the house; and the division was rendered memorable by an exact equality of numbers, both the ayes and the noes amounting to 169. The speaker being of course compelled to give his casting vote, acquired much credit and applause by adding his negative to those who had voted for the rejection of this chimerical, absurd, and extravagant system.

It is very remarkable that the minister, notwithstanding this defeat, had the temerity, after an interval of a few weeks, to bring forward the question once more in a new form, by moving, "That an estimate of the expence of such part of the plan of fortification recommended in the late report, as might appear most necessary to be carried into immediate execution, be referred to a committee of supply"—the probable expence of which was estimated at *only* 400,000*l.*! This was

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received with extreme disapprobation; it was said to be impossible for parliament to submit to so open an attack upon their declared sentiments, and they were called upon to resist it in the most peremptory manner. Mr. Pitt, perceiving the sense of the house so manifestly adverse to this attempt, thought proper to withdraw his motion; on which Mr. Fox expressed his earnest hope "that the minister would in future pay more respect to the opinion of the legislature, and not attempt to force an obnoxious measure upon the country." The pertinacity of Mr. Pitt in this business occasioned much speculation: and those who recollected the tenor of his conduct respecting the Westminster return were not backward to throw disgraceful imputations upon his integrity. It was thought by many to be impossible that a man of Mr. Pitt's discernment could be the sincere and cordial advocate of so preposterous a scheme; and it was strongly suspected that the duke of Richmond, in the prosecution of this favorite project, relied upon far other and higher support than that which could be derived from the obscure and ambiguous decision of a board of general officers.*

* The fortification projects of the duke of Richmond became, in consequence of this parliamentary investigation of their merits, the theme of the public derision and ridicule; and, according to the observation of that unerring judge of mankind, the duc de la Rochefoucault, "ridicule is like a

Mr. Pitt's plan for redeeming the national debt.

The grand business of the session, as alluded to in the speech, was not brought forward till the month of March, when Mr. Pitt moved for the appointment of a Select Committee, by ballot, to report to the house the state of the public revenue and expenditure. The result of their enquiry was in a very high degree pleasing and satisfactory. The amount of the revenue for the current year was estimated by the committee at 15,397,000*l.*—the permanent expenditure, including the civil list and the interests payable on the different funds, amounted to 10,554,000*l.*—the peace establishment, allowing eighteen thousand men for the navy, and the usual complement of seventy regiments for the army, exclusive of life-guards and cavalry, was estimated at 3,924,000*l.*—in all, 14,478,000*l.*; of consequence there remained a surplus of more than 900,000*l.*

gangrene, which, when once it fastens upon one part of a character, is easily extended to the rest." In a humorous political publication of the times, styled the Rolliad, the duke of Richmond is thus severely and sarcastically apostrophized:

With gorges, scaffolds, breaches, ditches, mines;
With culverins whole and demi, and gabines;
With trench, with counterscarp, with esplanade;
With curtains, mote, and rhombo, and chamade;
With polygon, epaulement, hedge and bank;
With angle saliant, and with angle flank;
Oh thou shalt prove, should all thy schemes prevail,
An Uncle Toby on a larger scale!

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Mr. Pitt observed upon this report, "that though this was stated to be the annual expenditure, a considerable interval must elapse before this reduction could take place; this term he fixed at four years. The exceedings of the army, navy, and ordnance, together with the sums necessary for the indemnification of the American loyalists, he calculated would not during this period fall short of three millions. The war from which we were just delivered had been most expensive and ruinous; these unavoidable exceedings were amongst the bitter fruits of it; but if during the first years of peace extraordinary expences were incurred, they afforded also extraordinary savings. There were sums appropriated during the war to different services, which had not been expended; four hundred and fifty thousand pounds had already been paid into the Exchequer upon this account. There were moreover immense sums in the hands of former paymasters, which it was expected would soon be brought to account; these he conjecturally stated at the sum of one million. There was a balance of 600,000*l.* due to government from the East-India Company. When to these were added the improvements that might yet be made by judicious regulations in the different branches of the revenue, he was not (Mr. Pitt said), he hoped, too sanguine in affirming that we possessed resources equal to all our ordinary and extraordinary de-

mands. The proposition which he now submitted to the house was, the appropriation of the annual sum of one million to be invariably applied to the liquidation of the public debt. The surplus of the revenue amounting to the sum of 900,000*l.* only, Mr. Pitt moved for an additional duty on spirits, on certain kinds of timber imported, and on perfumery, which would together be more than sufficient to make up the deficiency. This annual million Mr. Pitt wisely proposed to vest in the hands of certain commissioners, to be by them applied regularly to the purchase of stock; so that no sum should ever lie within the grasp of any future minister large enough to tempt him to violate this sacred deposit. The interests annually discharged were, conformably to this plan, to be added to and incorporated with the original fund, so that it would operate with a determinate and accelerated velocity; being in this respect framed upon the model of the sinking fund formerly projected by sir Robert Walpole. This fund was also to be assisted by the annuities granted for different terms, which would from time to time fall in within the limited period of twenty-eight years, at the expiration of which Mr. Pitt calculated that the fund would produce an income of four millions per annum. When a progress so considerable was made in the reduction of the debt, parliament might with propriety pause, and adopt

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such new measures for the relief of the nation, and the extinction of the most oppressive and burdensome taxes, as to the legislative wisdom should seem meet. The commissioners to be nominated under the act were the chancellor of the Exchequer, the speaker of the house of commons, the master of the rolls, the governor and deputy-governor of the Bank of England, and the accomptant-general of the high-court of Chancery. Such were the persons (Mr. Pitt said) whom he should propose to be appointed to this trust. This plan had long been the wish and the hope of all good men, and he felt inexpressible pleasure in being able to flatter himself that his name might be inscribed on that firm column which was now about to be raised to national faith and national prosperity."

It was in the progress of the bill suggested by Mr. Fox, "that whenever a new loan should hereafter be made, the commissioners should be empowered to accept the loan, or such proportion of it, as should be equal to the cash then in their hands; the interest and *douceur* annexed to which should be applied to the purposes of the sinking fund." This amendment, the only one of material consequence offered, was received with candor and facility by Mr. Pitt, who declared it to be "an auspicious omen of the ultimate success of the plan, that its propriety and necessity had been so obvious

as to overcome the spirit and prejudice of party, and create an unanimity of sentiment in persons who more, he was sure, from accident than inclination were so frequently of different opinions."

The bill finally passed with great and deserved approbation; all intelligent persons throughout the kingdom perfectly concurring in the sentiments expressed in the recent report of the commissioners of public accounts upon this subject. "This debt (say these impartial and faithful reporters) is swelled to a magnitude that requires the united efforts of the ablest heads and the purest hearts to suggest the proper and effectual means of reduction. A PLAN must be formed for the reduction of this debt, and that without delay: NOW is the favourable moment of peace. The evil does not admit of procrastination, palliatives, or expedients. It presses on, and must be met with force and firmness: what *can* be done, the support of public credit, the preservation of national honor, and the justice due to the public creditor, demand *should* be done. It MUST be DONE, or SERIOUS CONSEQUENCES will ensue."

King's debts a fifth time discharged.

Notwithstanding the acknowledged necessity of œconomy in every department of government, it is grievous to relate, that even before the Sinking-Fund Bill passed into a law, a message from the KING to the house of commons was delivered by the minister, stating, "that it gave him great con-

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cern to inform them, that it had not been found POSSIBLE to confine the expences of the civil list within the annual sum of eight hundred and fifty thousand pounds, now applicable to that purpose. A farther debt had been NECESSARILY incurred, and the king relied on the ZEAL and AFFECTION of his PARLIAMENT to make provision for its discharge."

In support of the motion grounded on this message, Mr. Pitt stated, " that under Mr. Burke's Reform Bill an annual reduction of fifty thousand pounds from the civil list had been set apart by parliament for the liquidation by instalments of the sum of three hundred thousand pounds, then issued in Exchequer bills for the supply of former deficiencies. Of this debt one hundred and eighty thousand pounds yet remained unpaid, and a fresh debt of thirty thousand pounds had accrued: and he rested the necessity of a grant equal to these united sums upon this *perplexing dilemma :* Either parliament had at the period referred to, directed that, when the proposed liquidation should be effected, the civil list should be allowed fifty thousand pounds per annum more than was necessary, or it was then put upon a footing of fifty thousand pounds per annum less than was necessary. Experience had proved the latter to be the case ; and therefore it was reasonable to expect that the sum of two hundred and ten thousand pounds, now

wanting to clear off the old and new incumbrances, would be voted without hesitation."

In reply to Mr. Pitt's courtly logic, it was obvious to observe, that the parliament which fixed the expenditure of the civil list at eight hundred and fifty thousand pounds, until the debt previously contracted should be liquidated, thought it at least POSSIBLE that the DIGNITY of the CROWN might be sufficiently sustained without passing the prescribed limits; and it was by a very peculiar sort of reasoning that the actual transgression of a law was urged as affording of itself an adequate and satisfactory proof of the necessity of the transgression. It might even perhaps occur to some of the members, however indecorous the mention of it in a parliamentary debate, that the executive government of the republic of America was supported, without any apparent forfeiture of DIGNITY, at less than one FORTIETH part of the expence.

This demand was the more extraordinary, as the king in his speech from the throne at the opening of the session, December 1782, had said, "I have carried into strict execution the several reductions in my civil list expences, directed by an act of last session; I have introduced a farther reform in other departments, and suppressed several sinecure places in them. I have by this means so regulated my establishments, that MY

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EXPENCES SHALL NOT IN FUTURE EXCEED MY INCOME."*

No attempt being made to repeal that clause in Mr. Burke's Reform Bill which regulated the expenditure of the civil list, it was urged to be very extraordinary, while that bill remained in full force, to come down in the face of an act of parliament, and call upon the house to vote money for the debts of the crown. It is almost superfluous to say, that all the arguments offered on this head proved a mere waste of words, and that the money was ultimately voted.

* This species of parliamentary bubble is a royal practice and privilege of very ancient date—

> The KING shall pass his HONEST WORD;
> The chancellor make a speech;
> The pawn'd revenue sums afford;
> And then come *kiss my* ******.
>
> DRYDEN.

It is related of Francis I. king of France, that upon using to one of his courtiers—a man of honour—on some occasion, his usual asseveration "Foi de Roi!" he perceived marks of manifest incredulity on his countenance. On which he graciously repeated "Foi de gentilhomme!" and the courtier declared himself satisfied. The Huguenots negotiating with the famous Catharine of Medicis insisted on *security* for their rights and immunities; and many methods being proposed and rejected as inadequate, the queen at length angrily said, "Is not the word of a KING a sufficient security?" One of the deputies with quickness replied, "No, by St. BARTHOLOMEW, madam."

Many petitions were presented during the session for the repeal of the odious tax upon retail shops; and a motion was formally made by sir Watkin Lewes, member for the city of London, for that purpose, without effect, though it was somewhat mitigated by a reduction of the rates. In this business Mr. Pitt shewed a degree of perseverance bordering upon obstinacy, which it had been surely better to have reserved for a more important occasion.

Motion of sir Watkin Lewes for a repeal of the shop-tax.

Mr. Fox acutely remarked on the subject of the proposed alterations, "that the greater part of Mr. Pitt's arguments had been intended to prove that the tax was not personal; and that it must find its level and fall upon the consumer. If this were true, what was there to recommend his modifications? He had stated, that he would take off or diminish the portion of the tax paid by the poorer class of shopkeepers, which would considerably exonerate that description of persons. Of what would it exonerate them; of the burden borne by the consumer? Glaring indeed was the inconsistency of his actions, when compared with his arguments."

An attempt was also made by Mr. Pulteney, supported by many respectable members of the house, to explain and amend the act of the last session, relative to hawkers and pedlars; and particularly to repeal a most detestably oppressive

Humane attempt for the relief of hawkers and pedlars.

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clause, by which justices of the peace were empowered to imprison any person of this profession at their discretion. This was rejected, at the second reading, by a majority of fifty voices.

Wine excise bill.

About this period Mr. Pitt brought in a bill for transferring part of the duties on foreign wines from the customs to the excise. The revenue on this article, the consumption of which had certainly not diminished, Mr. Pitt stated to be inferior by the sum of two hundred and eighty thousand pounds to what it had been in the middle of the century. The terrible alarm excited by sir Robert Walpole's memorable attempt to extend the laws of excise fifty years before had now completely subsided, and the bill passed with general approbation.

In the house of peers lord Loughborough, who was now again transformed into a Whig and a patriot, opposed the bill, as in the highest degree arbitrary and unconstitutional. He was answered by lord Camden, whose zeal for the constitution had been subject to no such remarkable variations. Lord Camden admitted "that the excise laws, taken collectively, might in a certain sense be considered as a departure from the constitution; but the present state of the country rendered them necessary. The present bill, in particular, was calculated to counteract the notorious impositions practised by the wine-merchants to delude

the public, to cheat the revenue, and injure the health of the consumer. In these iniquities it was that a justification of this useful and salutary measure was to be found." The bill passed without a division.

East India regulations

Next to the establishment of the new sinking fund, the affairs of India occupied, during this session, the chief attention of parliament. A bill was brought in by Mr. Dundas, which with some opposition passed into a law, to explain and amend the act of 1784. This bill, among other regulations of inferior importance, bestowed upon the governor-general of India the high prerogative of deciding in opposition to the sense of the majority of the council. The offices of commander-in-chief and governor-general were in future united in the same person; and earl Cornwallis, who had borne so conspicuous a part in the American war, and whose character stood deservedly high in the public estimation, was nominated to fill this important commission.

Lord Cornwallis nominated governor-general of India.

Soon after this Mr. Pitt, stating certain exigencies arising from the peculiar situation of the East-India Company, moved that they be empowered to raise the sum of two millions for the necessary increase of their capital. This was in itself a very problematic proof of the vaunted prosperity of the Company; but Mr. Pitt asserted the necessity to be temporary, and that it arose chiefly from the

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beneficial operation of the Commutation Act, in consequence of which the Company's sales of tea had increased from six to fourteen millions of pounds, exclusive of other articles; and in proportion to an increase of trade, an increase of capital became indispensably requisite. And on this ground the bill passed with little difficulty. These measures were regarded with cold indifference; but the feelings of the nation were wrought up to an high pitch of solicitude and curiosity by the subsequent proceedings of parliament relative to India.

Mr. HASTINGS, late governor of Bengal, arrived in England in the month of June 1785; and the season being then far advanced, Mr. Burke gave notice of his intention to move early in the next session for a parliamentary investigation into his conduct. On the first day of the meeting of parliament after the summer recess major Scott, who had upon all occasions distinguished himself as the friend and advocate of Mr. Hastings, reminded Mr. Burke of the pledge he had made, and challenged him in pressing and peremptory terms to come to an immediate decision. Mr. Burke calmly replied, "that he should imitate the conduct of the duke of Parma, who came from the Low Countries to relieve the city of Paris, then besieged by king Henry IV. The king, impatient and full of ardor, urged the duke to instant battle;

but that experienced and celebrated commander replied, that he had not travelled so far to learn from his enemy the time when it was most proper to engage."

Mr. Hastings formally accused by Mr. Burke.

On the 17th of February 1786, however, Mr. Burke, in the spirit of ancient chivalry, threw down the gauntlet; and, desiring that the resolutions of May 28, 1782, might be read (resolutions moved by Mr. Dundas, as chairman of the Select Committee, declaratory of the culpability of Mr. Hastings, and the consequent necessity of his recall), declared his "deep regret, that the solemn and important business of that day had not been brought forward in the plenitude of weight and efficiency, by the original mover of the resolutions now recited. Most feelingly did he lament, as the unwelcome consequence of a devolution caused partly by the natural demise of some, the political decease of others, and in particular cases a death to virtue and to principle, that he should now remain alone engaged in the attempt to preserve unsullied the honor and the consistency of that house, which had fixed upon Mr. Hastings as an object of their particular and formal accusation. Acting under their sanction, he asserted a claim to their protection. There were various modes of proceeding which might be adopted in this business. The first of these was a direction to the attorney-general to prosecute. But not to insist

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upon the apparent disinclination of the present attorney-general (Mr. Arden) to exert his powers in this great and momentous cause, he did not conceive that a trial by jury was well calculated for the purpose of obtaining justice against so elevated an offender. In the court of King's Bench the dignity of such a trial would ill assort with causes of *meum* and *tuum*, actions of battery and assault, of trespass and trover, together with the innumerable tribe of subordinate misdemeanors. The second mode of prosecution was that by bill of pains and penalties. To this he had insuperable objections, as radically unjust, and as tarnishing in no slight degree the character of that house, the members of which would thus preposterously appear in the two-fold capacity of accusers and judges. The only alternative which remained was the antient and constitutional mode of proceeding by IMPEACHMENT: as a necessary preparatory to which, he concluded with moving for the papers necessary to substantiate the charge which he had now in immediate contemplation to bring forward against the late governor-general Hastings."

Mr. Dundas with his usual versatility affirmed, "that though he had thought it expedient in the year 1782 to recall Mr. Hastings from India, he now rejoiced that the resolutions moved by him had not taken effect. Since that period Mr. Hastings had rendered most essential services to

the Company, and he should have extremely regretted to have been the means of depriving the Company of a servant so distinguished by his zeal and capacity. He had certainly moved a vote of censure on Mr. Hastings; but Mr. Hastings had since received the thanks of the Court of Directors, in which, had he been a director, he would most willingly have concurred, from a thorough conviction that the thanks were merited."

Some difficulties having been suggested by Mr. Pitt, respecting the production of the papers called for, Mr. Burke declared in lofty terms this demur to be "an invasion of the prerogative of a public accuser. He had an unquestionable claim to all such documents, proofs, and papers, as he saw or esteemed to be necessary to support the charge which he undertook to advance. The downfall of the greatest empire in the world had originated in the mal-administration of its provinces. When Rome felt within herself the seeds of decline, and the inroads of corruption, a man of the first rank and highest connections in the state was brought to punishment. VERRES, the governor of Sicily, was united in affinity with all that was most splendid and most opulent in the seat of empire, with the Hortensii and the Metelli. But when CICERO undertook his accusation, the government itself adopted his prosecution. No less than one hundred and fifty days were allowed for the collection

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of materials, and the justice of the Roman senate opened to the accuser all the cabinets whence the documents were to be obtained."—In the result, the papers, with some few exceptions, were granted.

On the 4th of April, 1786, Mr. Burke solemnly rose to charge Warren Hastings, esq. late governor-general of Bengal, with high crimes and misdemeanors in the execution of his office, exhibiting at the same time nine distinct articles of accusation, which in a few weeks were increased to the number of twenty-two.

Mr. Hastings's premature and arrogant defence.

On the 1st of May Mr. Hastings, at his own express desire, and by the indulgence of the house, was heard at the bar of the house, in this early period of the business, in his own defence: and at the farther request of the accused, the minutes of his defence were ordered to lie on the table. But the general opinion, faintly controverted even by the friends of Mr. Hastings, was, that the DEFENCE, thus precipitately and prematurely delivered, was of no service to his cause, and contributed in a very slight and inadequate degree to the vindication of his character. Though his assertions were bold, his arguments were feeble, and the language of this defence was beyond all example boastful and arrogant. He had even the weakness and presumption to call in question the AUTHORITY of the house to institute a judicial inquiry into his conduct.

The house, unmoved by what they had heard, proceeded in the examination of evidence: and the first article of impeachment respecting the Rohilla war was brought formally before the house on the 1st of June. After a very long debate, the question was decided in favour of Mr. Hastings, sixty-seven members voting for, and one hundred and nineteen against the impeachment.

Decision in favour of Mr. Hastings respecting the Rohilla war.

Mr. Pitt on this occasion gave a silent vote against the motion; but the ground on which he voted was tolerably well ascertained by a declaration he had previously made, when the subject of the Rohilla war was in a more general way discussed, "that he considered that transaction in a horribly alarming point of view, and as being so repugnant to every sentiment of human nature, that nothing could justify it but the strongest motives of political expediency, and the invincible principles of retributive justice—*adding*, nevertheless, that it would be highly inconsistent and absurd to consider Mr. Hastings now in the light of a culprit, for any measures taken by him previously to the period in which he had been nominated by act of parliament governor-general of India, which was the highest certificate of legislative approbation." But surely, in the contemplation of common justice and common sense, this re-appointment could not be regarded as equivalent to an acquittal, unless the house were at that

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period in full possession of the evidence on which the merits or demerits of the transaction rested, which it was notorious they were not.

Decision against Mr. Hastings on the Benares charge.

On the 13th of June, the second charge relative to the rajah of Benares being brought forward, it was resolved by the house, on a division of 119 to 79 voices, "that this CHARGE contained MATTER of IMPEACHMENT against the late GOVERNOR-GENERAL of BENGAL." On this occasion Mr. Pitt spoke in support of the motion; but, admitting the legality of the discretionary power assumed by Mr. Hastings, he confined the criminality of the charge to the enormity of the fine levied upon the rajah, and its concomitant circumstances of oppression and cruelty.

On the 11th of July, 1786, an end was put to these proceedings for the present by a prorogation of the parliament, which was dismissed with assurances of "the particular satisfaction with which the king had observed their diligent attention to the public business, and the measures they had adopted for improving the resources of the country."

Frantic attempt to assassinate the king.

Soon after the rising of parliament a singular incident occurred which ingrossed for a moment the attention of the public. As the king was alighting from his post-chariot at the garden entrance of St. James's palace, August the 2d, a woman decently dressed presented a paper to his

majesty; and while he was in the act of receiving it, she struck with a concealed knife at his breast. The king happily avoided the blow by drawing back; and as she was preparing to make a second thrust, one of the yeomen caught her arm, and the weapon was wrenched out of her hand.

On examination before the privy-council, it immediately appeared that the woman was insane. Being asked where she had lately resided, she answered frantically, "that she had been all abroad since that matter of the crown broke out." Being further questioned what matter? she said, "that the crown was hers; and that if she had not her right, England would be deluged in blood for a thousand generations." On being interrogated as to the nature of her right, she refused to answer, saying, in the genuine style of royalty, "that her rights were a MYSTERY."

It appeared that this poor maniac, whose name was Margaret Nicholson, had presented a petition ten days before, full of wild and incoherent nonsense. Like most other petitions it had probably never been read, or the person of the petitioner would have been secured. The idea of a judicial process was of course abandoned, and she was consigned to a fit apartment provided for her in Bethlem Hospital. In a few days the lord mayor, aldermen, sheriffs, and common council of the city of London, went in procession to St.

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James's to present an address to his majesty on his happy escape from *assassination*. This example was followed by nearly all the corporate bodies throughout the kingdom; and the popularity of the king was sensibly increased by this trivial and almost ludicrous incident. The number and quality of *knighthoods* conferred on occasion of these addresses were such as completed the ridicule, so successfully levelled since the days of Cervantes, against that once honourable and envied distinction.*

In the month of September 1786, the king was pleased to appoint a new Committee of Council, for the consideration of all matters relating to trade and foreign plantations. Of this board the famous Charles Jenkinson, now for his long and faithful services created lord Hawkesbury, and constituted chancellor of the duchy of Lancaster, was declared president. Under the auspices of this new commission a TREATY of COMMERCE was signed between the two courts of England and France (September 26, 1786) on the liberal principles of equality and reciprocity. Its general principle was to

Treaty of commerce with France.

* According to an anecdote somewhere related of Charles II. the witty and profligate, that monarch observing a person on whom he was about to confer the *honour* of knighthood to hang down his head and blush, as if conscious of the deficiency of his pretensions, exclaimed with his usual good humour and pleasantry, "Don't be ashamed—'Tis I who have most reason."

admit the mutual importation and exportation of the commodities of each country at a very low *ad valorem* duty. The negotiator of this treaty was Mr. Eden, who under the coalition administration had filled the lucrative office of vice-treasurer of Ireland. This was the first memorable defection from that ill-starred and heterogeneous alliance: and it was the more remarkable, as Mr. Eden had himself been generally considered as the original projector of the coalition, or at least as the man who might contest that honour with Mr. Burke. He was soon afterwards rewarded for this desertion by a peerage, under the title of baron Auckland, and, gaining the entire confidence of the minister, was appointed in the sequel ambassador to the Hague.

Convention with Spain relative to the Mosquito settlements.

About the same time a convention was signed with Spain of some importance, as it finally terminated the long-subsisting disputes respecting the settlements of the English nation on the Mosquito shore and the coast of Honduras. The Mosquito shore extends by sea eastward from Point Castile, the boundary dividing it from the Bay of Honduras, to Cape Gracios-a-Dios, 87 leagues; and southward from Cape Gracios-a-Dios to the river of St. Juan, 94 leagues. The interior part of the country is bounded by the Lake of Nicaragua, and fenced by mountains stretching to the west. In magnitude it considerably exceeds the kingdom

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of Portugal; is excellently watered by navigable rivers and lagunes; abounds in fish, game, and provisions of all sorts; furnishes every necessary for raising cattle and stock, and is clothed with woods producing the most valuable kinds of timber. The soil is said to be superior to that of any of our West-India islands, the air incomparably more salubrious, and the climate more healthy. In this beautiful country the native Indians have yet been able to maintain their independence in opposition to the power of Spain; and they have invariably indicated a disposition to cultivate the alliance and friendship of Great Britain. By the present treaty the Mosquito settlements were formally and explicitly relinquished, as they had already virtually been by the 6th article of the general treaty of 1783. In return the boundaries of the English settlements on the coast and bay of Honduras were somewhat extended, but in such manner, and on such conditions, as to leave the king of Spain in full possession of his territorial rights and exclusive dominion.

In a political view this convention answered a valuable purpose, as it removed a probable source of national disagreement. But the claims of humanity and justice were not sufficiently attended to. For the Mosquito settlers, who had from time immemorial occupied their lands and habitations under the protection of the English government,

and who amounted to many hundred families in number, were peremptorily commanded to evacuate the country of the Mosquitoes, without exception, in the space of eighteen months, nothing farther being stipulated in their favor, than that his Catholic majesty "shall order his governors to grant to the said English so dispersed all possible facilities for their removal to the settlements agreed upon by the present convention."

The greatest confusion, consternation, and distress, among this unhappy people, was the inevitable result of this barbarous edict of expulsion, which, with the cold-blooded politicians of Europe, at the distance of 3000 miles, passed only for a regulation of commerce. An affecting representation of their distresses, and an humble petition for some sort of indemnification from the government which had thus carelessly abandoned them to their fate, was subsequently presented to the Board of Treasury; but it does not appear to have excited any attention. By "the insolence of office," the sighs of the oppressed are regarded as a species of insult.

On the 31st of October in the present year (1786) died the princess Amelia, last survivor of the numerous issue of king George II. at the advanced age of 75 years. Her immense riches she devised, by a gross affront to the reigning family, and by a species of flagrant injustice to the nation, by whose

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bounty she had acquired them, to the landgrave of Hesse, nearest in blood of her German relations. She had not appeared at court for many years, being highly disgusted, not merely with the personal disrespect with which she conceived herself treated, but with the Tory and high-church maxims and policy of the present reign, so different from those of the former. Scarcely were the appearances of decency preserved by the court on the occasion of her decease.

Session of parliament. Debates on the commercial treaty with France.

On the re-assembling of parliament, January 23, 1787, the first object of debate which presented itself was the commercial treaty with France. On the 12th of February the house resolved itself into a committee on this subject, when Mr. Pitt entered into a most able and eloquent vindication of the measure, though, in the opinion of impartial persons, the treaty sufficiently spoke its own merits. Mr. Pitt declared in energetic terms his abhorrence of the maxim, that any nation was destined to be the natural and unalterable foe of another. It had no foundation in the experience of nations, or in the history of men. It was a libel on the constitution of political societies, and supposed the existence of infernal malignity in our original frame. "France (Mr. Pitt said) in most of our wars had been the aggressor; but her assurances and frankness in the present negotiation were such as to entitle her to a return of confidence. It

was indeed ridiculous to imagine that the French would consent to yield advantages without the idea of compensation. The treaty would doubtless be a benefit to them; but he did not hesitate to say it would be a much greater benefit to us. She gained for her wines and other productions a great and opulent market. We did the same for our manufactures to a far greater degree. She procured a market of eight millions of people, we a market of twenty-four millions. Both nations were disposed and prepared for such a connection. France, by the peculiar dispensation of Providence, was gifted, perhaps more than any other country upon earth, with what made life desirable, in point of soil, climate, and natural productions, in the most fertile vineyards, and the richest harvests. Britain, on the other hand, possessing these advantages in an inferior degree, had, from the happy freedom of its constitution, and the equal security of its laws, risen to a state of commercial grandeur, and acquired the ability of supplying France with the requisite conveniences of life, in exchange for her natural luxuries."

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Very plausible objections were nevertheless suggested by the leaders of opposition against this treaty, and predictions hazarded of the injury which would be sustained by Great Britain in consequence of this measure, which were far from being eventually verified, and which it is therefore

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superfluous to particularize. Such, nevertheless, was the impression made upon the house by the arguments advanced, that no less than 162 members divided against the minister on a motion for an address to his majesty, declaratory of the approbation of the house; which was ultimately carried by a majority of 76 voices.

The opposition in the house was not however supported, as in the case of the Irish propositions, by any commercial clamors beyond its walls. And Mr. Pitt accurately and satisfactorily accounted for this difference, by observing "that in the former instance the clamors of the manufacturers, though he thought them founded in error, had been general and violent, because they perceived no great and positive advantage in the intercourse to balance the apprehended evil of a rivalry and competition, England being already in possession of the Irish market. But *now* that they saw so manifest and valuable a benefit to be reaped, they were willing to hazard the possibility of the injury."

The topic on which the opposition insisted with the most advantage, and indeed the only real difficulty respecting the execution of this treaty, arose from its palpable inconsistency with the famous Methuen treaty, concluded with Portugal early in the present century, in conformity to which the duties on Portugal wines were to bear in future the proportion of only two-thirds of those import-

ed from France and other countries. But this point being candidly conceded by France in the progress of the business, the measure received, as it well deserved, the necessary concurrence and sanction of parliament, and the whole transaction terminated greatly to the honor of the minister, and the advantage of the nation; the sole cause of regret, in fact, being the limitation of the treaty to the short period of twelve years.

Consolidation of the customs.

Another very useful commercial measure, though of very inferior importance, a measure founded on the reports of the commissioners of public accounts, was early in the present session brought forward by Mr. Pitt for the consolidation of the customs, by the total abolition of all the existing confused and complex duties, and substituting in their stead a single duty on each article, amounting as nearly as possible to the aggregate of the various subsidies now paid; taking universally, instead of a fraction, the nearest integral number above it. By this means the revenue would be considerably benefited, and the merchant relieved from a serious inconvenience. It is a curious circumstance, that the series of resolutions presented to the house, but of which they chose to wave the formality of reading, amounted to more than three thousand in number.

Post-horse tax farmed.

A regulation of finance, much less generally approved, was also proposed by Mr. Pitt, relative to

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the tax on post-horses, which he affirmed to have been most grossly and scandalously evaded. By way of remedy, he recommended that it should be farmed by auction to the highest bidder, on the usual plan of the turnpike duty. This was represented as repugnant to the genius of the English constitution. It might prove, as the farming of the revenue had notoriously done in France, the source of infinite abuse and oppression. It established a dangerous and alarming precedent, and required to be resolutely resisted in the onset. Upon the question for going into a committee on this bill, the numbers were only 147 ayes to 100 noes.* It must however be acknowledged, that this obnoxious regulation has not been found productive of any practical inconvenience.

Mr. Fox's motion for the repeal of the shop-tax.

In the course of the session Mr. Fox moved for the repeal of the odious Shop Tax, which, in consequence of the pertinacious adherence of Mr. Pitt to a measure in itself very trivial and uninteresting, had become a matter of permanent and serious concern. It appeared from the statement of Mr. Fox, that the city of London and its environs paid forty-three shares in fifty-nine of this duty, the whole produce being estimated at only fifty-nine thousand pounds. This was affirmed with reason to be an unjust and monstrous disproportion. But in truth the Commutation Tax fell as heavily in proportion upon the country, as the

Shop Tax upon the metropolis; however comparatively destitute of the means of enforcing their complaints, or procuring redress. On the division the numbers were, ayes 147, noes 183; the ministerial majority in a full house being, on this second attempt at repeal, reduced to 36 voices only. BOOK XXII. 1787.

Mr. Beaufoy's motion for the repeal of the test-laws.

On the 28th of March, 1787, a motion of great importance was made by Mr. Beaufoy, a member of the house distinguished by his knowledge, talents, and general respectability of character, for amending, and in part repealing, the laws known by the appellation of the Corporation and Test Acts, so far as related to the Protestant dissenters, who weakly flattered themselves that their recent services were not as yet wholly lost to the recollection of the court. In his introductory speech, Mr. Beaufoy gave a clear and judicious historical narrative of the origin of these acts. "The Corporation Act declared that no person should be elected into any municipal office who should not one year before his election have taken the sacrament according to the usage of the church of England. The Test Act required of every person accepting a civil or military office under the crown to take the sacrament in like manner within a limited time; in default of which he was liable to a fine of 500*l.* and incurred other penalties in the highest degree severe and rigorous. The first of these acts was passed in the year 1661; and the

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despotic and arbitrary spirit in which it was framed sufficiently appeared from a single clause in the act, empowering the king for a limited time to remove at his pleasure all municipal officers by commissioners of his appointment. This act was levelled indiscriminately against Protestant and Catholic dissenters: but in the year 1673, the æra of the Test Act, the state of things was materially changed. The jealousy of parliament in regard to the Protestant dissenters had now subsided, and the alarm of all the different denominations of Protestants was equally excited by the dangers to which Protestantism itself was exposed by the flagrant attempts of the court to effect the restoration of the Popish religion. The king himself was believed, on good ground, to be nothing better than a concealed Papist. The duke of York, his brother, and immediate successor to the crown, was not only an avowed convert to that religion, but a flaming and furious zealot. Lord Clifford, the first minister, and other persons in high authority, were also bigoted papists; and a declaration of indulgence had been published by the king, in order to make way for the introduction of Popery. In these circumstances, the Test Act was a measure of national policy and safety. It bore the title of 'An Act for preventing the danger which may happen from Popish recusants'—and the dissenters, far from concurring in the opposi-

tion made by the court to this bill, publicly declared, through the medium of Mr. Alderman Love, one of the members for the city of London, and himself a dissenter, 'that in a time of public danger they would in no wise impede the progress of a measure deemed essential to the safety of the kingdom;—and *though they were accidentally included in the operation of it*, they would wave their claim to an exemption, trusting to the good faith, justice, and humanity of parliament, that a future provision should be made for their relief.' This seasonable declaration extremely facilitated the passing of the bill, and was received with just and general applause. A bill for their relief was accordingly at a subsequent period of the session passed by the commons, but defeated by the sudden prorogation of parliament. A second bill was in a succeeding parliament brought in, and passed both houses; but while it lay ready for the royal assent, the king degraded his dignity so far, as secretly to order the clerk of the crown to withdraw the bill; and the parliament being soon afterwards dissolved, it never passed into a law.

"But the relief which the unprincipled profligacy of Charles refused to grant, the magnanimity of William was impatient to bestow. In one of his earliest speeches from the throne, he expressed his 'earnest hope, that such alteration would be made in the laws as would leave room for the ad-

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mission of all his Protestant subjects who were willing to serve him.' But at this period the High Church and Tory interest predominated in opposition to the wise and salutary policy of the court. From the memorable protest of the lords upon this subject in the year 1689, it appeared nevertheless that the sentiments of several of the greatest men in that extraordinary æra coincided with those of their sovereign. And upon another occasion of a still later date—a conference between the two houses upon the Bill of occasional Conformity—the peers (not a few individuals only of that assembly, but the whole house) expressed in language still more emphatical their abhorrence of the injustice of the Test Act."

In discussing the general policy of this law, Mr. Beaufoy observed, "that to the higher trust of legislative authority the dissenters were admitted without reserve. From the members of that house, from the members of the house of peers, no religious test was required. Hence he strongly inferred the absurdity of the imposition in question. He had heard indeed of an idle opinion, that there was something of a republican tendency, of an anti-monarchical bias, in the very doctrines of the Presbyterian church. From so vague an assertion he appealed to experience. Were the Scots suspected of an indifference to monarchy? He had heard them taxed with a predilection for those

maxims of policy which were the most favorable to power; but of levelling principles, of republican attachments, he had never heard them accused. The English dissenters, since the Revolution, which had first given this country a constitution, had uniformly acted on principles the most beneficial, and had constantly proved themselves the ardent supporters and the faithful adherents of that system of monarchy which was established by law. Would then the repeal of the Test Act prove injurious to the established church? GOD FORBID! The suggested repeal was no attack upon the rights of others; it was merely the completion of that wise system of toleration adopted at the æra of the Revolution. The church of England flourished long before the Test Act existed. In Scotland no such law ever had a being. Had Scotland therefore no established church? In Ireland, the relief now solicited had been granted seven years ago. But was the church of Ireland therefore destroyed? In Holland, in Russia, in Prussia, in HANOVER, no traces of such a test were to be found. In the dominions of the emperor, all disqualifications of this nature had been recently abolished. In France, a similar relief was granted by the edict of Nantz, from the revocation of which France had so severely suffered, and which was now, as it was supposed, about to be restored. In fact (Mr. Beaufoy justly added), the repeal of the

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Test, so far from being pernicious to the established church, would be salutary. The different classes of dissenters had no general interest, no bond of union, but that reproachful exclusion from public employments which was common to them all. If he were further asked, If justice be the principle on which you decide, shall not the Catholics enjoy the common privileges of citizenship? he would answer without hesitation, If the Catholics could give a sufficient pledge of loyalty to their sovereign, and attachment to the laws —questions not now before the house—he should think they ought to be admitted to the civil and military service of the state." Such were the liberal and elevated sentiments of this speaker, who concluded this excellent address with an enumeration of other considerations, more of a religious than political kind, in favor of the repeal, deduced from the gross profanation to which the nature of the present Test subjected a sacred and solemn Christian rite. Mr. Beaufoy declared, "that he should have thought it not unbecoming the sanctity of the bishops to have solicited the removal of this scandal from the church. But let the requisition come from whatever quarter it might, sure he was that a compliance with it would reflect honor on that house: for, whatever tended to the debasement of religion diminished political authority, and weakened all the functions of civil and social order."

Lord North, true to his original principles of Toryism and High Churchism, rose with much zeal to oppose "this dangerous attempt at innovation. Declaring himself a friend to toleration in its full extent, he conjured the house at the same time to consider, that the present motion went not merely to toleration, but to the repeal of an act which was the great bulwark of the constitution, and to which we owed the inestimable blessings of freedom. The exclusion of the dissenters from civil offices (lord North said) was no injury or disgrace. The Test Act was merely a civil and political regulation; and the arguments against it were equally applicable to all those restrictions which the wisdom of government in all countries had found it necessary to establish. His lordship mentioned the alarm of the clergy at this attempt; and he added, that they all knew the pernicious nature of a cry, that THE CHURCH is in DANGER. There was no complaint of ecclesiastical tyranny; —universal toleration was established. Let them therefore be upon their guard against INNOVATION in the CHURCH, nor confound the toleration of religious opinions with the mode of admission to civil and military appointments."

Mr. Pitt enforced the arguments of lord North, but with far more ability and address. He declared, in very flattering and explicit terms, the esteem and regard which he entertained for the

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collective body of Protestant dissenters, who had ever proved themselves the genuine and zealous friends of constitutional liberty, of which their conduct during the late political conflicts had exhibited a memorable proof; and he acknowledged with gratitude and pleasure the honorable and unanimous support which he had experienced from them at that momentous and interesting crisis. He must nevertheless, however reluctantly, discharge what he conceived to be his indispensable duty, in opposing the present application for a repeal of the Corporation and Test Acts. It had been said, If you grant this, the same persons will soon come to you again to ask something more. This had no weight with him. He would not object to concede what he ought to concede, because he might be asked to concede what he ought not to concede. But a distinction was, in his opinion, here necessary to be made between political and civil liberty. The latter he contended that the dissenters already enjoyed in its fullest extent. The former was in fact nothing else than a distribution of power, which must be regulated by the discretion of the state. The employments and offices of the state were not the property of individuals; they were public trusts, to be confided to those who were politically competent to occupy them. The dissenters desired, as a matter of right and justice, a participation of offices. If this were

granted, they might acquire a dangerous ascendency in corporations; and an exclusive corporation interest in the hands of the dissenters was a very different thing from the liberty of sitting in that house on the free choice of the general mass of electors. It was now indeed asserted that they had no such object in contemplation. But it was necessary to take into the account the real springs by which human affairs were regulated, and not to depend upon the security of words in contradistinction to the tenor and tendency of actions. There were persons amongst the dissenters who would not admit any ecclesiastical establishment to be necessary. Against such persons it became the legislature to be upon their guard. He had indeed an high opinion of the merits of dissenters; but they already enjoyed every mental privilege, every freedom to serve GOD according to their consciences, in the most ample degree."

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The motion of Mr. Beaufoy was powerfully supported by Mr. FOX, who magnanimously declared, "that, whatever personal reason he might have to complain of the recent conduct of the dissenters, he would never lose sight of the great principles of civil and religious liberty, on which the present application to the house was founded. He had considered himself as honored in acting with them on many former occasions, and he acknowledged the general tenor of their political conduct

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to be in the highest degree meritorious. In his opinion, it was very unwise in any case to take religion for a test in politics; and he averred, that the maxims advanced by Mr. Pitt were such, that though he declined persecution in words, he admitted the whole extent of it in principle." Upon a division, after a long debate, the numbers appeared, for the motion 100, against it 178.

This was by no means, considering the opposition of the minister to the motion, a discouraging division on the first effort. But the dissenters were in the last degree astonished and chagrined at the part taken by Mr. Pitt in this debate, it being almost universally understood by them that the application would at least not be discountenanced by him. And the expressions used by him in the previous conferences held with the leading dissenters, though far from amounting to a promise of support, were considered as certain indications of a favorable disposition. Doubtless Mr. Pitt found, in the progress of the business, obstacles in the way of the repeal which he had not at first apprehended; and he flattered himself that his public professions of regard and esteem for the dissenters would so far sooth and conciliate their minds as to reconcile them to the disappointment they sustained. But the most refined address, and the greatest ability in the *management of business*, may easily be over-rated. It was not possible for

Mr. Pitt, on this grand question, to stand well at once with the court and with the dissenters. The dissenters clearly perceived the difference between the situation of Mr. Pitt and that of his predecessor sir Robert Walpole, when the last application for a repeal of the Test was made on their part above fifty years before. That wise minister, though his judgment was decidedly in favor of the repeal *abstractedly considered*, was justly apprehensive of clamors which would have been unquestionably raised at that turbulent period against a measure, as the consequence of which the weak, the bigoted, and the factious, would have joined in vociferating that the CHURCH was in DANGER. It was an experiment at that time not worth the risk; and the minister chose the least of the two evils, condescending himself to talk absurdly, in order to prevent others from acting mischievously. But that senseless and terrific clamor had long since become a mere *brutum fulmen*. The application of the dissenters in the present instance was in unison with the general sense of the public and of the parliament, or at least not inconsistent with it; and a slight degree of countenance only from the court would have sufficed to ensure the success of the motion: nor, on the other hand, was the opposition of the court so openly and decidedly hostile as to preclude the idea of future attempts.*

* The opposition of Mr. Pitt to the repeal of the Test Laws was the first grand deviation in his conduct from the funda-

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Application for the payment of the prince of Wales's debts.

The attention of the house and of the nation was soon transferred to a subject of a very different nature. When the prince of Wales attained the age of majority, A. D. 1783, the sum of fifty thousand pounds per annum only was allotted to him out of the civil-list revenue to defray the entire expence of his establishment. Considering the numerous salaries payable to the officers of his household, this sum was manifestly inadequate to the just support of his rank and situation in life; and the then ministers, Mr. Fox and lord North,

mental principles of Whiggism. Sir Robert Walpole, wisely declining to enter into the merits of those odious laws, rested his opposition as minister wholly upon the impolicy of agitating in times so contentious so contentious a question;—in his private judgment he was well known to be decidedly hostile to them. But Mr. Pitt's arguments were founded on the most narrow conceptions of national policy, and to him the excellent and applicable reasonings recorded in the immortal writings of the great Roman historian must have appeared, if he ever made them the subject of his reflection, false or futile. "Cœtum et seditiones *appellavit* quod vos rogassent ut legem in se latam temporibus duris in pace et florente ac beata republica abrogaretis. VERBA MAGNA quæ rei augendæ causa, conquirantur et hæc et alia esse scio.—Ego enim quemadmodum ex his legibus quæ non in tempus aliquod, sed perpetuæ utilitatis causa *in aternum* latæ sunt, nullam abrogari debere fateor, nisi quam aut usus coarguit, aut status aliquis reipublicæ inutilem fecit: sic quas tempora aliqua desiderarunt *leges mortales*, ita ut dicam et temporibus ipsis mutabiles esse video."

LIV. lib. xxxiv. § 5, 6.

strongly insisted upon the necessity of fixing the revenue of the prince at one hundred thousand pounds per annum, which the late king had enjoyed as prince of Wales at a period when the civil list produced two hundred thousand pounds per annum less than at present. To this the sovereign positively objected; and the prince, in order to prevent disagreeable consequences, generously declared, that he chose to depend upon the spontaneous bounty of the king. The obvious result of this miserable œconomy was, that the prince, in the four years which were now elapsed, had contracted debts to a large amount,—his negligence as to pecuniary concerns being perhaps increased by the consciousness of the extreme difficulty and apparent impossibility of contracting his expences within the narrow limits of his income. The public, not sufficiently adverting to these circumstances, censured the prince with a too rigid severity for the heedlessness and prodigality of his conduct. The general prejudice was much heightened by the habitual and confidential intercourse maintained by the prince with the great leaders of the late unpopular administration. It was also too notorious to admit of disguise or palliation, that the prince was exempt from none of those youthful indiscretions and excesses by which men of high rank in early life are for the most part so unhappily characterized.

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A report of a very serious nature had moreover for some time past gained very general credit; namely, that the prince had contracted a secret marriage with a lady of the Roman-catholic religion,—a fatal step, for which the acknowledged personal charms and mental accomplishments of Mrs. Fitzherbert (such was the name of the lady in question) would make in the public opinion a very inadequate compensation. It is true that the marriage, in whatever mode it was solemnized, could not by the Royal Marriage Act be regarded as legal; and by a clause in the Act of Settlement, if the legality of the marriage was affirmed, the prince, by marrying a Papist, would *ipso facto* forfeit his right of succession to the crown. His situation therefore was in the highest degree singular and critical, especially as the Marriage Act itself was by many persons considered as founded in such a manifest absurdity and injustice, as to be in its own nature null and void. To balance these unfavorable circumstances, the prince was said to possess good temper and good sense: his person was agreeable, his deportment affable and engaging, and, by mixing familiarly in the society of men of enlightened minds, he had, as there was good reason to believe, acquired far juster and more liberal ideas of the nature of government and the spirit of legislation than those which constituted the policy of the present reign. Happily also,

as it was contrary to law for the heir apparent to leave the kingdom, he had the advantage of an English education, and his manners and modes of thinking were entirely English; while the German education of the bishop of Osnaburgh, now duke of York, and of the other younger branches of the royal house, and their familiarity with the German courts, could have no other tendency than to inspire them with sentiments totally opposite to the genius of the English constitution. There is nothing indeed more surprising in the history of the present reign than the tame acquiescence of the legislature in so apparent an affront, as is implied in the supposition that an English prince cannot receive an education in England proper for his station. England has, it must be confessed, been indeed grossly and culpably inattentive to the education of her princes; and in this respect, as well as many others, the present reign will furnish to posterity a striking and instructive lesson.

Finding his embarrassments continually increasing, and a large debt accumulated, the prince of Wales, in the summer of 1786, applied to the king his father for assistance: but meeting with a harsh and peremptory refusal, he adopted a resolution which seemed to indicate a firmness and vigour of mind, capable, under a right direction, of great and noble things. Suppressing the establishment of his household, he formally vested forty

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thousand pounds per annum of his revenue in the hands of trustees for the liquidation of his debts. His stud of running horses, his hunters, and even his coach horses, were sold by public auction. The elegant improvements and additions making to the palace of Carlton House, where he resided, were suddenly stopped, and the most splendid apartments shut up from use; in this manner choosing to retire from the world, rather than forfeit the honor of a gentleman by practising on the credulity of his creditors.

Things had remained in this posture for near a twelvemonth, when the prince was persuaded to give his assent to a proposal for laying the state of his affairs before parliament; and on the 20th of April, Mr. Alderman Newnham, member for the city of London, gave notice that he would bring forward a motion for an address to the king, praying him to take the situation of the prince into consideration, and to grant him such relief as he in his wisdom should think fit, and pledging the house to make good the same. This gave rise to an interesting conversation; and Mr. Newnham was, by the minister and many other members of the house, earnestly entreated to withdraw his motion, as fertile of inconvenience and mischief.

Mr. Pitt said, "that by the perseverance of Mr. Newnham he should be driven to the disclosure of circumstances which he should other-

wise have thought it his duty to conceal." And Mr. Rolle, member for Devonshire, declared, "that the investigation of this question involved in it circumstances which tended immediately to affect the constitution in church and state." BOOK XXII. 1787.

Mr. Fox, Mr. Sheridan, and other gentlemen in the confidence of the prince, declared that "there was nothing which the prince of Wales less feared than a full and impartial investigation of his conduct; and nothing that his royal highness would more deprecate than a studied ambiguity, or affected tenderness, on the pretence of respect or indulgence." Mr. Rolle was particularly called upon, though in vain, to explain the extraordinary language he had usued.

The subject being in a few days resumed, Mr. Fox again called the attention of the house to the declaration of Mr. Rolle. "To what that declaration alluded (Mr. Fox said) it was impossible to ascertain, till the person who made it thought proper to explain his meaning: but he supposed it must refer to that base and malicious calumny which had been propagated without doors by the enemies of the prince, with a view to depreciate his character, and injure him in the esteem of his country." Mr. Fox further declared "that the prince had authorised him to assert, that, as a peer of parliament, he was ready in the other house to submit to any the most pointed questions that

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could be put to him upon the subject, or to afford the king or his ministers the fullest assurances of the utter falsehood of the fact in question."

Mr. Rolle now thought proper to acknowledge, that the subject upon which Mr. Fox had spoken was the matter to which he had alluded, as affecting both church and state. He said "that the reports relative to this transaction had made a deep impression upon the minds of all men who loved and venerated the constitution. He knew that this thing could not have been accomplished under the formal sanction of law; but if it existed as a fact, it might be productive of the most alarming consequences, and ought to be satisfactorily cleared up."

Mr. Fox replied, "that he did not deny the calumny in question merely with regard to the effect of certain existing laws, but he denied it *in toto*, in fact as well as in law. The fact not only could never have happened legally, but never did happen in any way, and had from the beginning been a vile and malignant falsehood."

Mr. Rolle rose again and asked, "whether in what he now asserted Mr. Fox spoke from direct authority?" Mr. Fox said, he had spoken from direct authority.

In consequence of these explicit and authoritative asseverations, Mr. Rolle was loudly called upon to express his satisfaction. But this he obstinately

declined, saying only "that the house would judge for themselves of what had passed." On this Mr. Sheridan was provoked to declare, "that if Mr. Rolle persisted in his refusal, or otherwise to put the matter into such a state of enquiry as *should* satisfy him, the house ought to come to a resolution, 'that it was seditious and disloyal to propagate reports injurious to the character of the prince.'" BOOK XXII. 1787.

Mr. Pitt now properly interposed, and protested against so flagrant an attack on the freedom of speech and deliberation in that house. And it must be confessed that Mr. Rolle was so far justified as the voice of the public could justify him, in retaining his doubts; for a general and firm persuasion still prevailed of a secret marriage between the prince and Mrs. Fitzherbert: though no one presumed to call in question the honor of Mr. Fox in the declarations made by him in the prince's name, for which he undoubtedly had, or thought he had, sufficient authority, and which operated to the perfect apparent conviction of the house of commons; though, to complete the mystery and perplexity of the business, it was subsequently reported and believed that a temporary coolness at least had taken place between the prince and Mr. Fox from the æra of this debate, and as the consequence of that warmth of indignation which carried Mr. Fox inadvertently beyond the strict limits of his commission.

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In this stage of the business an interview, at the desire of the king, took place between the prince of Wales and Mr. Pitt, at Carlton House; and the prince was informed, "that if the intended motion were withdrawn, every thing might be settled to his royal highness's satisfaction." This being acceded to, a message was delivered by the minister from the king to the house, stating his majesty's great concern, "that from the accounts of the prince of Wales it had appeared that he had incurred a debt to a large amount, which, painful as it was to him to propose any addition to the burdens of his people, he was induced, by his paternal affection to the prince, to desire the assistance of parliament to discharge—on the well-grounded expectation, nevertheless, of the prince's avoiding to contract any similar debt in future; with a view to which, the king had directed a sum of ten thousand pounds to be paid out of the civil list, in addition to his former allowance."

On the very next day after the accounts referred to in the royal message were laid before the house, and of which the dignified generosity of the house suffered not the inspection, an address was voted to the king, to request him to direct the sum of one hundred and sixty-one thousand pounds to be paid out of the civil list for the full discharge of the debts of the prince of Wales, and the farther sum of twenty thousand pounds to

complete the repairs of Carlton House. It may be remarked, in dismissing this subject, that the sum of fifty thousand pounds had been already actually expended on Carlton House; so that, if the prince had enjoyed a revenue equal to that of the late king when prince of Wales, there would have accrued in the four years elapsed since his majority a very considerable saving, notwithstanding that extraordinary expence; and thus the complaints of extravagance do not appear to rest upon a very solid foundation.

The subject of Mr. Hastings's impeachment had been resumed early in the present session, and had occupied a large proportion of it. The primary charge respecting the Rohilla war, brought forward by Mr. Burke towards the conclusion of the session of 1786, had made a deep impression upon the house: and although Mr. Hastings had been acquitted of the charge, it was upon grounds on which it was impossible to rest his future defence. The conduct of Mr. Pitt had been hitherto indecisive and mysterious; but the part taken by Mr. Jenkinson, and the party of which he was considered as the head, left no room for doubt as to the secret inclination of the court; and although Mr. Pitt, on the Benares charge, stated by Mr. Fox, had voted against Mr. Hastings, he expressly declared that he did not, *upon that account*, consider himself as committed to a final vote of impeach-

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ment. The grand question therefore still remained doubtful, when on the 7th of February, 1787, Mr. Sheridan opened the third charge respecting the Begum princesses of Oude, with an eloquence and energy which were perhaps never surpassed, and which, in their consequences, proved entirely decisive.

Charge against Mr. Hastings respecting the Begums of Oude.

The substance of this, as of the other principal charges, has already been recorded in the regular narration of Indian transactions. A slight extract or two from Mr. Sheridan's speech may serve to excite a faint idea of the transcendant ability with which this charge was enforced.—Mr. Sheridan said, " that the conduct of Mr. Hastings respecting the nabob and Begums of Oude comprehended in it every species of human offence. He had been guilty of rapacity at once violent and insatiable, of treachery cool and premeditated, of oppression unprovoked, of barbarity wanton and unmanly. So long since as the year 1775, the Begum princess, widow of Sujah ul Dowla, had written to Mr. Hastings in the following moving terms:—' If it is your pleasure that the mother of the late nabob, that myself, his other women, and his infant children, should be reduced to a state of dishonor and distress, we must submit. But if, on the contrary, you call to mind the friendship of the late blessed nabob, you will exert yourself effectually in favor of us who are helpless.' Inflamed by

disappointment at Benares, he hastened to the fortress of Chunar, to put in execution the atrocious design of instigating the nabob, son of this princess, to parricide and plunder. No sooner had Mr. Hastings determined to invade the substance of justice, than he resolved to avail himself of her judicial forms, and dispatched a messenger for the chief-justice of India to assist him in perpetrating the violence he had meditated. Without a moment's pause, or the shadow of process instituted, sentence was pronounced. And thus, at the same time that the sword of government was converted to an assassin's dagger, the pure ermine of justice was stained and soiled with the basest contamination. It was clear to demonstration, that the Begums were not concerned in the insurrection of Benares. No, their treasures were their treason. If (said this eloquent speaker) the mind of Mr. Hastings were susceptible of superstition, he might image the proud spirit of Sujah ul Dowla looking down upon the ruin and devastation of his family; beholding the palace which he had adorned with the spoils of the devoted Rohillas, plundered by his base and perfidious ally; and viewing the man whom on his death-bed he had constituted the guardian of his wife, his mother, and his family, forcibly exposing those dear relations, the objects of his solemn trust, to the rigor of the merciless seasons, or the violence of the

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more merciless soldiery.—Such were the awful dispensations of retributive justice!—It was not given to that house to witness the tremulous joys of the millions whom the vote of that night would save from the cruelty of corrupted power. But the blessings of the people thus delivered would not be dissipated in empty air. No; they would lift up their prayers to Heaven in gratitude to the power, which, by stretching its mighty arm across the deep, had saved them from ruin and destruction."

On this occasion Mr. Pitt acted a part which did him great honor. Though the eloquence of Mr. Sheridan had excited a spirit of enthusiasm in the house, which perhaps no degree of ministerial influence could have counteracted, it would be highly invidious and unjust to attribute the decided conduct of Mr. Pitt on this memorable night to the apprehension of being left in a minority by an attempt to negative the motion. On the contrary he appeared penetrated with a perfect conviction of the atrocity of the facts, and of the strength of the evidence by which they were supported. And the minister, who in the comparatively insignificant business of an election return could so far degrade himself as to countenance, and even publicly to vindicate, an act of deliberate injustice, now felt all the sympathies of humanity, all the energies of virtue, awakened in his breast,

and impelling him to testify, in terms the most explicit and expressive, his detestation of perfidy so vile, of cruelty so remorseless. On a division the numbers were, in favour of the motion 175, against it 68.

Ferruckabad charge.

On the second of March Mr. Pelham opened the charge relative to the nabob of Ferruckabad.

Although Mr. Hastings had, as Mr. Pelham remarked, declared, in relation to the powers exercised by the *sezawall* or sequestrator of the revenues of Ferruckabad, appointed by the vizier, that it was incompatible with the dignity and honor of the government over which he presided to appear to countenance the exercise of an authority altogether unsupported by equity and justice; and had, to use his own express words, "from motives of common justice caused the dismission of the sezawall," and nominated one of the Company's civil servants, Mr. George Shee, to the same trust; he, in the ensuing year, 1781, by an article of the treaty of Chunar, stipulated with the vizier, that no British resident should in future be appointed at Ferruckabad, and the present one be recalled—thus virtually abandoning that country, the protection of which he had so recently and ostentatiously undertaken, to the rapacity and oppression of the vizier. But Mr. Hastings in this, as in almost every other respect, proved unfaithful to his engagements; and, after a short interval, the new

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sezawall appointed by the vizier, was, by the interposition of Mr. Hastings, recalled, and one Subghut Ulla, on the recommendation of the governor-general, was, by the nabob of Ferruckabad, placed at the head of his affairs. No complaint of a political nature was alleged against this minister during the short period of his administration. But Mr. Hastings, being moved with the highest indignation at the *incredible report* that the protection of the English government had been purchased at a very great price by the vakeel or resident of the nabob at Calcutta, soon after "withdrew all mediation and interference (to use his own language) which stood between the nabob vizier and the collection of the tribute from Ferruckabad," even sending a military force to support the sezawall appointed by the vizier for the ensuing year. In consequence of this act of virtuous revenge, Mr. Hastings acknowledged that "he had been *informed* the said sezawall *did* renew severities formerly exercised in respect to the said nabob Muzuffer Jung." In fact, the evils produced by this re-appointment were so enormous, that Mr. Hastings, to preserve some faint colour of equity, assented to the nomination of Mr. Willes as resident at the court of Ferruckabad, but whose talents and probity were rendered useless by the limitations and impediments to which he was artfully and purposely subjected.—This article of im-

peachment concluded with denouncing the governor-general Hastings as "a criminal guilty of great neglect of duty, usurpation of authority, complicated breach of treaty and duplicity, both towards the vizier and the nabob, to the great disgrace of the British name and the discredit of the British government in India; having reduced himself to the situation, that he could neither deliver Muzuffer Jung from oppression without a breach of faith to the nabob vizier, nor suffer him to remain under the said oppression without violating all faith and justice with regard to him." And on the division the accusation was affirmed by a majority of 112 to 50 voices.

Charge respecting contracts.

On the 15th of March the charge upon the subject of contracts was brought forward by sir James Erskine. "All of them (sir James Erskine observed) were made in direct violation of the regulations of the court of directors, 'that the contracts should be given from year to year, that they should be publicly advertised, and be disposed of to the best bidder.' The contract for rice was avowedly given to Mr. Auriol, as 'a reward for his long and faithful services.' Of his expenditure no vouchers were required, but the accounts were to be given in upon honor. This mode of passing accounts was (the honorable mover observed) peculiar to India, as indeed honor there was of a peculiar nature. It dreaded the production of proofs, had

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an intuitive abhorrence of being confronted with truth, and shrunk, like the sensitive-plant, from the touch of enquiry. The opium-contract was given immediately upon his arrival in Bengal to Mr. Sullivan, son to the chairman of the India Company, who had immediately SOLD the same to a Mr. Benn for a clear profit of 35,000*l.*; and Mr. Benn immediately RE-SOLD it for the sum of 59,600*l.* Another agency or contract appeared to be conferred on Mr. Belli, for supplying Fort William, &c. with stores. The rate of his commission was fixed by a committee of merchants, to whom it was referred, at twenty per cent.; but Mr. Hastings declared that it should be thirty, and took upon himself solely and expressly all the responsibility of this measure, which added the sum of 34,000*l.* to the amount of the profit. A fourth contract, for repairing the pools and banks in the province of Burdwan, held for a series of years by the Rajah of Burdwan, at the rate of 25,000 rupees per ann. was bestowed on Mr. Archibald Fraser, at the rate of 120,000 rupees for the first year, and 80,000 for each of the four succeeding years, with a permission to make special repairs whenever he should judge them necessary at the expence of government. This gentleman was the near relation of sir Elijah Impey, who had thought it necessary to dispatch affidavits to England for the purpose of clearing himself from the

suspicion of participating in the profits accruing from the contract. These affidavits (sir James said) were the pastoral essays of the learned judge, his songs *in ripas et flumina*, the forerunners only of those epic attestations, the *prælia et reges*, by which he had commemorated the wars of Benares and the rebellion of Oude." On this article the division was, ayes 60, noes 26.

Charge relative to Fyzoola Khan.

Upon the 23d of March the charge relative to Fyzoola Khan was brought forward by Mr. Windham. This was carried on a division of 96 against 37 voices.

Charge respecting presents.

On the 2d of April Mr. Sheridan opened to the house the charge upon the subject of presents: upon which occasion he observed, "that the late governor-general had, in every part of his conduct, exhibited proofs of a wild, eccentric, and irregular mind. He had been every thing by starts, and nothing long—now high and lofty, now mean and insidious—now artful and temporising, now rigid and inflexible—in pride, in passion, in all things changeable, except in corruption. His revenge was a tempest, a *tornado* blackening the horizon, and involving all within the sphere of its influence in one common destruction. But his corruption was regular and systematic, a *monsoon* blowing uniformly from one point of the compass, and wafting the wealth of India to the same port in one certain direction." Upon a division, the numbers appeared, ayes 165, noes 54.

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Charge relating to the revenues.

On the 19th of April the charge respecting the revenues was opened by Mr. Francis, who had formerly occupied, with so much honor to himself, but so unavailingly as to the public, the office of member of the Supreme Council in India, and who had recently taken his seat as a member of the house of commons. This charge was of a very important and interesting nature; and Mr. Francis entered into a most able and elaborate discussion of it. He showed, from the very nature of their tenure, "that the zemindars were not mere collectors of the revenue, as they had been artfully represented by Mr. Hastings, but real land-owners possessing a permanent, divisible, and hereditary property, descending even to women." He enumerated the different modes of managing the revenues of Bengal, adopted by Mr. Hastings in the course of thirteen years. "The object of Mr. Hastings (he said) was to avoid coming to a fixed settlement, for then there must be an end to peculation. At the time of his accession to the government the provinces had not perfectly recovered the effects of the dreadful famine which had taken place in Bengal at a very recent period; yet then did the Committee of Circuit, under the sanction of Mr. Hastings, raise the rents of the zemindaries to an unheard-of standard; and by the ensuing project of 1781, the whole landed property of the country was put up to a pretended auction; the proprietors were universally deprived of their

estates; and banyans, cheats, and adventurers of all sorts, put into possession of their lands. Under this settlement, Cantoo Baboo, Mr. Hastings's banyan, held farms to the amount of 135,000*l.* per annum. The directors had ordered the persons composing the Committee of Circuit to be prosecuted, but Mr. Hastings had ordered the prosecution to be withdrawn. A Committee of Revenue was subsequently introduced, under the influence of Gunga Govid Sing, a notorious and adroit villain, which completed the ruin of the country. When Mr. Hastings came into possession of the Bengal government, he found it a fertile, populous and prosperous country; it contained a regular gradation of ranks, like a pyramid, from a well-ordered yeomanry to sovereign princes: but these distinctions have been broken down—the whole nation has been pounded as it were by the oppression of the government into one mass—and the prince was no otherwise discoverable from the peasant than by the superiority of his sufferings, and the more pungent bitterness of his humiliations." Mr. Francis concluded in these remarkable words:—"My particular labor is now at an end. An unremitting perseverance of thirteen years has at last conducted me to that issue which has been the object of all my efforts. Mr. Hastings must now be impeached—let him have a fair trial—I desire no more. In arriving at that object I have

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secured every personal purpose that I ever had in view; the reputation of sir John Clavering, colonel Monson, and myself, is secure; your votes are my authority: the house of commons are my compurgators. The only victory I ever aimed at was to clear my character from foul aspersion, and to establish, as I trust I have done, the integrity of my conduct in the estimation of my country." This charge was confirmed, notwithstanding the unexpected dissent of the minister, by 71 to 55 voices.

On the 9th of May the report made by Mr. Burke from the committee, to whom it had been referred to prepare the articles of impeachment, was confirmed by the house, ayes 175, noes 89.

Mr. Hastings impeached at the bar of the house of lords.

On the following day it was voted that Mr. Hastings be IMPEACHED: and Mr. Burke accordingly, in the name of the house of commons, and of all the commons of Great Britain, repaired to the bar of the house of lords, and impeached Mr. Hastings of high crimes and misdemeanors—at the same time acquainting their lordships, that the commons would with all convenient speed exhibit articles against him, and make good the same.

On the 14th another charge respecting misdemeanors in Oude was added to the former by Mr. Burke, and voted without a division. On the same day the articles actually prepared were sent to the lords; and on the 21st, Mr. Hastings, being

conducted to the bar of that house by the serjeant at arms, was taken into the custody of the black rod, but on the motion of the lord-chancellor was admitted to bail—himself in 20,000*l.* and two sureties, Mr. Sullivan and Mr. Sumner, in 10,000*l.* each; and he was ordered to deliver in an answer to the articles of impeachment in one month from that time, or upon the second day of the next session of parliament.

On the 30th of May (1787) the king put an end to the present session by a speech, applauding "the measures taken by parliament respecting the reduction of the national debt, and the treaty of navigation and commerce with the Most Christian king. He spoke of the general tranquillity of Europe, and lamented the DISSENSIONS which unhappily prevailed amongst the STATES of the UNITED PROVINCES." This then is the proper period to pause, and take a retrospective view of the politics of the Continent, and of the origin and progress of these dissensions.

BOOK XXIII.

State of Europe. Commotions in Holland. Prussian Army enters Holland. England arms in Support of Prussia. Unexpected Acquiescence of France. Alliance between England, Prussia, and Holland. Unpopular Naval Promotion—Resignation of Lord Howe. Resignation of the Earl of Mansfield. India Declaratory Act. Honorable Testimony in Behalf of Mr. Francis. Proceedings against Sir Elijah Impey. Bill for regulating the African Slave Trade. Alarming Illness of the King. Proceedings relative to the Regency. Perfect Recovery of the King. Wise Conduct of the Irish Parliament respecting the Regency. Shop Tax repealed. Hawkers' and Pedlars' Act explained and amended. Mr. Beaufoy's second Motion for a Repeal of the Test. Lord Stanhope's Motion for repealing various Penal Statutes. Mr. Wilberforce's Motion respecting the Abolition of the Slave Trade. Trial of Mr. Hastings resumed—Indiscretion of Mr. Burke. Mr. Addington chosen Speaker. Tobacco Excise Bill. State of Europe. Political Embarrassments of France. States General convened at Versailles—Assumes the Appellation of National Assembly. Publishes a Declaration of the Rights of Man. Congratulatory Address of the Revolution Society. French Revolution reprobated by Mr. Burke and the King's Friends—Vindicated by Mr. Fox and the Friends of the People. Mr. Fox's Motion for a Repeal of the Test. Negatived by a prodigious Majority, with remarkable attendant Circumstances. Mr. Flood's Motion for a Reform in the British Parliament. Trial of Mr. Hastings—Its disgraceful Procrastination. Wise Administration of Lord Cornwallis in India.

BOOK XXIII. 1787. State of Europe.

IF the embarrassments of Great Britain at the return of peace, in consequence of the alarming addition of debt contracted during the war, were

very great, those of France, it must be confessed, were of still greater magnitude. The finances of France during the war had been committed to the management of M. Necker, a Genevan Protestant, a man of strict probity, of genuine philanthropy, of extensive knowledge in the detail of affairs, but who, nevertheless, appears to have been destitute of those clear and comprehensive views which distinguish the great and enlightened statesman; and his vanity, ostentation, and egotism, formed a great deduction from the aggregate of his virtues. This celebrated financier conceived the romantic and impracticable plan of raising the loans necessary for the service of the war upon the credit of funds to be created by œconomical savings in the public expenditure. The revenue of France was indeed immense, not perhaps falling short in the gross receipt of twenty-five millions sterling; but the civil, military, and naval establishments of that vast kingdom were also upon a proportionable scale: and if it had been possible, which it certainly was not, by any efforts within the compass of M. Necker's ability, effectually to have counteracted that spirit of extravagance and corruption which had so long pervaded all the departments of government in France, and to have substituted in their stead the order and frugality of his native republic, still an enormous deficiency must ultimately have resulted from a scheme so

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visionary and chimerical as that of carrying on a war without taxes. At the æra of the peace this was found to be actually the case; and M. Necker, who had enraged one party by his attempts, and disappointed the other by his failures, was compelled to resign to M. de Calonne, a man of great talents, but who, immersed in dissipation and intrigue, and neither able nor solicitous to reform the abuses of the government, proposed to supply the present grand deficiency in the revenue in the usual way, by new and heavy imposts.

Derangement of the French finances.

The excessive and notorious derangement of the French finances, and the consequent indisposition of the court of Versailles to involve itself in hostilities with any of the leading powers of Europe, probably emboldened the restless and ambitious spirit of the emperor, who also, doubtless, relied on the influence of the queen his sister in the cabinet of France, to venture upon measures which the most powerful of his predecessors would have regarded as harsh and presumptuous. Taking advantage of the animosity subsisting between the maritime powers, he had during the late war formally cancelled the Barrier Treaty originally concluded between the guarantee of England, and had dismissed the Dutch garrisons from the frontier towns of the Low Countries. In the vain expectation of permanent amity with France, he had even dismantled the greater part of those impor-

Ambitious projects of the emperor.

tant fortresses, leaving by this means the country wholly exposed, in case of a future rupture, to the inroads of that formidable power.

Elated with the facility with which he had accomplished this object, he, in the autumn of the year 1783, suddenly demanded of the States General the appointment of a commission to meet at Brussels, for the accurate ascertainment of the boundaries of the Dutch and Austrian Netherlands. While this extraordinary demand was under discussion, a detachment of the Austrian troops entered the Dutch territory, and seized upon two small forts in the neighbourhood of Sluys; and a new demand was made of the free navigation of the Scheld beyond Fort Lillo, as far as the land of Saftingen. Conferences being at length agreed upon to be held at Brussels, in order to the final settlement of these claims, the plenipotentiaries of the emperor delivered in to those of the States General, May 1784, the entire demands of his imperial majesty, purporting the enlargement of his boundaries on the side of Breda and Bois-le-Duc; the demolition of the forts Kruickshank and Frederic-Henry; the inland navigation of the Scheld as far as Saftingen; the requisition of various sums of money pretended to have been due to the emperor since the beginning of the present century; and the CESSION of the CITY of MAESTRICHT, and

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the contiguous district of Outre Meuse, disjoined from the general mass of the Dutch possessions.

Political commotions in Holland.

The States, astonished and alarmed at these novel claims, were urgent to obtain the mediation of the court of Versailles. The situation of Holland was indeed at this period such as to make all opposition apparently fruitless. The weight which she had been accustomed to derive from her intimate connection and alliance with England was no more; and, in consequence of a strange fatality, she was now reduced to the humiliating necessity of resorting for protection to that very power by whom her liberties had been so frequently menaced, and at one time so nearly subverted. Since the termination of the war with England she had been distracted with internal commotions. A great majority of the Dutch nation accused with vehemence the prince of Orange of gross and flagrant partiality to England during the war. It was affirmed that he had *betrayed his country*, in leaving her intentionally destitute of the means of defence; and had constantly and systematically counteracted the exertions of those who were earnestly desirous to have carried on the war with vigor and effect. The person by whose counsels the prince of Orange was supposed to be chiefly influenced—prince Louis of Brunswick, guardian to the stadtholder during his minority, and generalissimo of the Dutch forces—was even said to be a pensioner of England; and

so high did the public clamor arise against him, that he found it necessary to resign his offices civil and military, and retire from the country. This was far however from satisfying the disaffected party, which seemed continually to increase as well in numbers as inveteracy. The authority of the prince, as established by the constitution of 1747, was assailed in almost every province, and particularly the great and leading province of Holland, by all the possible modes of attack; and the very existence of the stadtholderate seemed to have become a question of precarious and problematic import.

In these circumstances it was not wonderful that the emperor, whose rapacity was unrestrained by even the shadow of principle, depending upon the acquiescence of France, again rose in his demands. In what he styled his ultimatum, delivered in August 23, 1784, his imperial majesty observing "that divers difficulties had occurred in the discussion of his claims, and that a speedy termination of those differences was ardently desired by him, offered to depart from his just demand upon the city of Maestricht, and to moderate his other requisitions, in consideration of the free and unlimited navigation of the Scheld in both branches to the sea. His imperial majesty, not doubting but the States would accept with eagerness so unquestionable a mark of his good will,

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had thought proper to regard the Scheld as open, and to declare its navigation free from the date of this paper; and he concluded, that on the supposition of any insult being offered to the imperial flag in the execution of these ideas, he should be obliged to consider it as a formal declaration of war on the part of the republic."

This memorial was as a stroke of thunder to the Dutch nation. The commercial grandeur of Holland had risen upon the ruins of Antwerp; and though it is probable that, if the free navigation of the Scheld had been now restored to that once famous mart, the course of trade could not have been easily or speedily diverted from its accustomed channels, the fears of the Dutch were wrought up to the highest pitch of apprehension. The States in their answer protested against this new claim, as the flagrant invasion of a right which they considered as the most valuable of their possessions. In order to establish this demand, they observed, "that the emperor must contravene the treaty by which they had been acknowledged as independent states, and also that by which the house of Austria had been put into possession of the Austrian Netherlands. They considered their prosperity, their dignity, and their existence, as linked to the perpetual conservation of this sovereignty, and declared it to be a pretension from which they would never depart."

Early in the month of October (1784) a small vessel sailed from Antwerp, amid the shouts and acclamations of the inhabitants, with the intention of ascertaining this important point. On the arrival of the brigantine before the fort of Lillo, an account of its destination was demanded; on the refusal of the officer to answer, a single ball was fired; and no regard being paid to this intimation, a whole broadside was discharged, and the vessel immediately struck her colors. This resolute proceeding on the part of the Dutch excited the utmost astonishment of the emperor, who had treated the sage remonstrances of his prime-minister, prince Kaunitz, on this subject, with contempt—repeatedly and peremptorily affirming, "*that the Dutch would never dare to fire.*" The emperor being in Hungary when this intelligence arrived, the prince wrote to his imperial majesty the following laconic letter of information, "*But they have fired.*" Immediately the conferences at Brussels were broken up, the imperial ambassador at the Hague was recalled, and hostile preparations were made on both sides.

It was at this critical moment that the court of Versailles interposed in a manner the most efficacious to preserve the Dutch nation from the ruin which threatened them. Notwithstanding the alliance which had now for thirty years subsisted between the courts of Vienna and Versailles; not-

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withstanding the ties of blood which connected the two sovereigns; notwithstanding the pacific disposition of the French monarch, and the financial embarrassments of the government; on this great occasion all the antient jealousy of the great rival houses of Bourbon and Austria seemed to revive. A letter written with his Most Christian majesty's own hand to the emperor, dated November 20, 1784, pointed out the essential distinction between the primary and ultimate demands of the emperor. As to the former, the king of France declared himself neutral; but he protested in the strongest terms against any violation of the rights of the States General respecting the navigation of the Scheld—a right exercised by them for near one hundred and fifty years under the sanction of a sacred treaty. His Most Christian majesty exhorted the emperor therefore to listen to the voice of moderation and humanity, and to assent to a renewal of the conferences under his mediation. To enforce this amicable overture a great army was assembled in the vicinity of Luxemburg; the marquis de Verac, who possessed the entire confidence of M. de Vergennes the French minister, was dispatched as ambassador extraordinary to the Hague; and the mareschal de Maillebois, an officer of high reputation in the French service, was *permitted* to take the command in chief of the Dutch forces.

On the convening of a cabinet council about

this period at Versailles, preparatory to the final resolution, the queen of France is reported to have said to the count de Vergennes, as the minister was passing to the council-chamber, "Remember, sir, in your deliberations, that the emperor is my brother." The count, casting his eyes on the dauphin, whom the queen then held in her arms, with great happiness replied, "Yes, madam, and I shall also recollect that the dauphin of France is your son."

The emperor now thought proper to declare his acceptance of the proffered mediation, provided the freedom of the Scheld, *or the cession of Maestricht*, to which he once again condescended to advert, were made the preliminaries of the negotiation. But the Dutch, animated by the avowed protection, and incited no doubt also by the secret suggestions, of France, now peremptorily refused to accede to either of these very unequal alternatives. After an interval of decent delay, the emperor with his characteristic inconstancy submitted to the humiliating relinquishment of both these favorite objects, the latter of which at least, had he never extended his views beyond it, he had once a fair prospect of accomplishing. But, as if eager to recover by his pride the reputation he had lost by his folly, he insisted that the Dutch States should make a public submission, and apologise by a formal embassy for the insult offered to his flag at Lillo.

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The barons Wassanaer and Leyden being deputed to the court of Vienna for this purpose, conferences were again opened, and in a short time a treaty of pacification was signed (November 8, 1784), importing that the States should pay the sum of ten millions of florins as an indemnification for the claim of the emperor upon Maestricht and its territory, and as a compensation for the damage done by the late inundations; the inland navigation of the Scheld was extended to the town of Saftingen, and the forts of Liefkinshoek and Lillo ceded to the emperor.

The inflated and almost ludicrous style of the complimentary address of the Dutch ambassadors at their audience of leave sufficiently shews the idea entertained by them of the character of the emperor. "May the glorious reign of your imperial majesty (say their excellencies), destined to complete the felicity of your subjects, daily administer to fame the best means to extend and perpetuate your great and awful name! May the æra of Joseph II. like that of TITUS, TRAJANUS, and MARCUS AURELIUS, your predecessors in the ROMAN EMPIRE, be ever recorded as that of humanity, peace, and the happiness of mankind!"

It is remarkable that England during these transactions looked on with the most perfect indifference, or even with apparent pleasure—never dreaming that her interests were essentially affect-

ed by the question relative to the navigation of the Scheld; and much less was either court or country at this period infected with the *mania* of supposing it necessary or expedient to enter into a WAR, in order to prevent the people of Flanders from freely enjoying what GOD and Nature had freely bestowed. Nor indeed would the utmost efforts of England probably have availed in opposition to the projects of the emperor, in case of the acquiescence of France.

When a great nation interferes in the concerns of her neighbours, true policy and dignity require not only that the object which she aims to effect be just and important in itself, that it be clearly and distinctly marked, but also, without any excessive or disproportionate exertion, attainable. This was a case in which, from local and other unalterable circumstances, France could interpose, not only with far more propriety, as a guarantee of the treaty of Westphalia, but with infinitely greater effect, than England. And GEORGE III., prompted merely *perhaps* by motives of unappeased resentment, acted precisely the part which the penetration and discretion of an ELIZABETH would have suggested.

The treaty of peace between Holland and the emperor was immediately followed by a treaty of alliance and friendship between Holland and France. This was no doubt an event neither plea-

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sant nor honorable to England; but it was the natural and unavoidable result of the absurd and mischievous politics long ago adopted by the English court, and of the novel situation in which Holland had been consequently placed. But as to any serious inconvenience to be apprehended from this or any other defection of the same nature, England under a wise system of government, such as had in the main been acted upon since the dismission of the old execrable administration, might stand alone, the envy and admiration of the world.

The business of the Scheld might be supposed to have engrossed the attention of the emperor. On the contrary, while the issue of it was yet unknown, a negotiation of still greater importance, and of a nature strangely incompatible with the former, was carried on with the elector of Bavaria, for the exchange of that extensive and commodious territory for the whole of the Austrian Netherlands, which were for this purpose to be converted into a kingdom under the antient and long-since obsolete appellation of Austrasia. This design could not escape the sagacity of the king of Prussia, nor the essential advantage which the house of Austria would derive from the cession of a large and fertile country contiguous to the general mass of its possessions, in lieu of a detached territory expensive and difficult to defend. In order to counteract this new attempt of the court

of Vienna, so hostile to the liberty and independency of the Germanic body, a treaty was signed at Berlin, July 1785, by his Prussian majesty, the king of Great Britain as elector of Hanover, and the elector of Saxony, to which the duke of Deux-Ponts, the margrave of Anspach, and other princes afterwards acceded. This formidable confederation was expressly affirmed to be intended for maintaining the indivisibility of the empire, the rights of the Germanic body in general, and of the respective states in particular.

In a declaration subsequently issued by the king of Prussia, that monarch insists on the danger to be apprehended from the rising power of Austria, and asserts, "that the addition of so extensive and flourishing a country as Bavaria to the dominions of that ambitious house must effectually destroy the balance of Germany, if not of Europe—and must end in the annihilation of all the subordinate states which enter into the composition of the Germanic body." The duke of Deux-Ponts, heir to the elector, strongly protested against the alienation of his patrimony; and the court of Versailles, though at variance with England and Prussia respecting the internal affairs of Holland, was no less solicitous to oppose the aggrandisement of the Austrian power in the empire. The court of St. Petersburg, indeed, no longer shewed itself, as formerly, decidedly hostile to the annexation of Ba-

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varia to the Austrian dominions. Nay, she had formed recent and strict engagements with that of Vienna,* which induced her to make a public declaration, professing at least to approve of this obnoxious exchange; though in the progress of the business, and on the refusal of the duke of Deux-Ponts, the empress Catharine formally notified to the king of Prussia that she had no intention to enforce the execution of the project. So impracticable did it appear in the face of these impediments to proceed in this design, that the courts of Vienna and Munich were compelled, in the spring of 1785, publicly to contradict the report, and to assert that the convention between them had no farther object than the adjustment of the limits of their respective countries.

Notwithstanding the dangerous contest in which Holland found herself involved with the court of Vienna, the domestic contentions of the republic suffered no abatement. The party antiently in opposition to the house of Orange, known by the appellation of the Louvestein party, and who consisted chiefly of the provincial aristocracies, or ra-

* In the month of May, 1780, the czarina and the emperor had an interview at Mohilef, a town in Russian Lithuania; and the emperor afterwards proceeded to Moscow and Petersburg—at the last of which cities, amidst a succession of festivities, a secret treaty was signed, portentous of future miseries.

ther oligarchies, of the Union, had been recently reinforced by a heterogeneous coalition with the zealous partisans of democracy, who equally wished for the total annihilation of the stadtholderian influence and authority. On the representation of the deputies of Haerlem, respecting the riotous disposition of the populace of the Hague, distinguished by their attachment to the stadtholder, the care of the military patrole of that place, vested in the prince of Orange, was transferred to those deputies by a formal resolution of the states of Holland. The prince, after warmly remonstrating against this insult, and vainly insisting upon his claim to the undivided command of the garrison of the Hague, withdrew himself from the seat of government (Sept. 14, 1785), and retired to his palace of Loo.

The states of Holland, far from feeling disposed to recede from their resolution, solemnly voted the states and senates of the different provinces to be the undoubted sovereigns, and the stadtholder to be their servant: hence inferring, that the powers so exercised were only delegated, and that the state might resume them whenever it saw sufficient reason;—concluding, that the entire command of the garrison should hereafter vest in the council committee of the states of Holland.

At this period a letter was addressed to the States General by the king of Prussia, signed

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at Berlin, September 17, 1785, strongly urging the interposition of their High Mightinesses, in order that the prince stadtholder might peaceably enjoy the rights and incontestable prerogatives appertaining to his dignity of hereditary stadtholder.

This application produced not the least effect. The states of Holland, who, as became their superior importance, assumed the lead in the opposition to the stadtholder, ordered as if in contempt of this interference, the arms of the house of Orange to be taken out of the colors of the troops belonging to that province, and that the Swiss guards attendant on the person of the prince should be disbanded.

The towns of Hattem and Elbourg, in the province of Guelderland, having manifested a peculiarly refractory and rebellious disposition, the states of Gueldres, in which assembly the Orange interest yet predominated, commissioned the stadtholder to employ military force for the reduction of the burghers. But the states of Holland, Zealand, Overyssel, and Groningen, joined in prohibiting the troops of their respective provinces from acting in this service. The towns in question were however attacked and captured by the prince; and Utrecht, which had deeply imbibed the same sentiments, was, in consequence of its resistance to the states of that province now as-

sembled at Amersfort, expected to be immediately invested. On this intelligence the states of Holland dispatched a letter to the prince, demanding of him, in twenty-four hours, an explicit declaration of his intentions. The troops of the province were at the same time ordered to march to the frontier for the protection of Utrecht, and a *cordon* was formed from Naerden to Schoonhoven. And notwithstanding an explanation and apology from the prince, within the time prescribed, the states of Holland proceeded (Sep. 22, 1786) to the violent resolution of suspending him from his office of captain-general of the province, by a majority of sixteen out of nineteen voices, of which that assembly is composed.

The prince of Orange on this occasion addressed a long and elaborate letter to the states of Holland. He had expressly said in his former remonstrance, relative to the garrison of the Hague, "We have not the most distant intention to question the superiority of your noble and great mightinesses over the military, as well of the whole province as the garrison of the Hague. Never (says he) could we suppose ourselves invested with a power equal, much less superior, to that of the States over the military, and that we might act according to our own pleasure, and independently of the SOVEREIGN." But he now ventured to assume an higher tone; and declaring "his office of hereditary cap-

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tain-general of Holland and West Friesland to have been secured to him by the unanimous vote of all the members of the state, he affirmed, that as the resolution by which the office had been conferred, passed *nemine contradicente*, it could not, *supposing it to be revocable*, be cancelled or even suspended without the like unanimity."

This sudden haughtiness of language may, without hesitation, be attributed to an event of great moment, which had recently taken place in the death of Frederic the Great, king of Prussia (August 17, 1786), who was succeeded by his nephew Frederic William II. to whom the prince of Orange was nearly allied by marriage to his sister, the princess Wilhelmina of Prussia.

The new monarch, feeling for the situation of his relatives, and eager to make a display of his power, entered with far more zeal into the interests of the prince than his illustrious predecessor, who during a reign of forty-six years had excited the admiration of Europe by the greatness of his talents and the splendor of his successes. He had raised Prussia from obscurity and insignificance to the rank of a first-rate power in Europe; and had left his successor in possession of a flourishing kingdom, an immense treasure, and an army of 200,000 men in the highest reputation for courage and discipline.*

* The annexation of the rich and extensive province of Silesia, wrested from the house of Austria, to the dominion of

In a memorial presented by the count de Goertz, his Prussian majesty's ambassador extraordinary to the States General (Sept. 18, 1786), he expresses without reserve "the warm part which he takes in the unhappy dissensions subsisting between some of the provinces and the stadtholder, and the very extraordinary oppressions which that prince is innocently obliged to suffer—and urging that a durable termination may be put to these differences, in order that his serene highness the prince stadtholder may return with honor and propriety to the Hague, and resume his high employments—insisting also upon the great interest he had, as the nearest neighbour of the United Provinces, that the government of the republic, conformably

Brandenburg, of whose recent grandeur it may be regarded as the basis, was an event ever present to the mind of Frederic. It is said that this monarch being one day writing in his cabinet, and the prince royal, son of the reigning king, interrupting him by playing *battledore and shuttlecock*, the king, after a slight reproof, in order to prevent the inconvenience, took the shuttlecock and put it in his pocket. The boy at first endeavoured to recover possession of it by soft and soothing language; but finding his blandishments of no avail, he raised his voice, and, stamping upon the ground, exclaimed with passionate emphasis, "SIRE, donnez-moi une réponse categorique—Voulez-vous me rendre, ou non, mon volant?"—The king, embracing him with astonishment and rapture, replied, "Ah, vrai rejetton du grand electeur, on ne t'arrachera jamais LA SILESIE!"

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to the antient constitution, should not be changed in any essential point."

A short time previous to the delivery of this paper, a memorial had been presented to the States on the part of the king of England, containing, in language somewhat more guarded, the same sentiments; protesting indeed against the interference of any foreign power in the internal affairs of the republic, the management and direction of which it is declared to be the wish of his Britannic majesty to preserve uncontrolled in the hands of those to whom it has been committed by the CONSTITUTION.

Notwithstanding this powerful interference in behalf of the prince of Orange, the states of Holland shewed themselves in the highest degree averse from every idea of accommodation. And the States General having at length come to a resolution, notwithstanding the opposition of that great and leading province, to invite the mediation of Great Britain and Prussia—the states of Holland, inflamed with so unauthorised a proceeding, declared themselves determined rather to strike out their names from the union of Utrecht, than to suffer such a measure to receive the sanction of the republic.

The prince of Orange having now removed his court to Nimeguen, an ineffectual negotiation was carried on during the winter of 1786-7, through

the medium of the count de Goertz and M. de Rayneval the French envoy. The stadtholder became inflexible in his pretensions.* Every thing on the breaking up of these conferences wore the face of war. The prince encamped near the city of Utrecht, opposite to the *cordon* formed by the troops of Holland. The States General, whose constitutional powers were unhappily too limited and feeble to interpose with efficacy, could do nothing more to avert the calamities which menaced the nation than enforce by a resolution that article of the union which forbad the troops of the republic from marching into any province without the leave of the states of that province first obtained.

From the commencement of the contest, the incapacity and intractability of the prince of Orange had been very apparent. Head of the house of Nassau, he displayed neither the talents nor virtues which had for ages been supposed attached to that illustrious name. The princess, his consort,

* Frederic William (says the count de Segur), staggered by the representations of the minister of France at Berlin, suddenly changed his plans and his language, sent more pacific instructions to his ambassador, and directed him to enter on a negociation, which might have re-established tranquillity in a solid manner, if the machiavelism of sir James Harris, the resentment of the princess of Orange, and the weakness of the court of France, had not united to overturn all the plans of reason, and destroy all the combinations of prudence.

Memoirs of Frederic William II. vol. I. p. 81.

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was said to possess a much larger share of spirit as well as understanding. In the month of June (1787), with a view, as was universally believed by the patriots, of exciting an insurrectionary movement, her royal highness, then resident at Nimeguen, adopted the bold and hazardous resolution of proceeding in person to the Hague, where the States General were at that time assembled, accompanied only by the baroness de Wassanaer and a few domestics. As might previously be expected, she was arrested in her progress at about a league beyond Schoonhoven, and forced back to Nimeguen. This incident brought matters to a crisis. On the 10th of July a memorial was addressed by the Prussian monarch to the states of Holland, in which he affected to consider the indignity offered to his sister as a personal insult to himself. To avenge this pretended insult, the duke of Brunswic, who commanded the Prussian forces in the contiguous duchy of Cleves, entered Holland at the head of an army consisting of about twenty thousand men on the 13th of September, 1787. Notwithstanding the previous probability of this invasion, the consternation of the Dutch nation was extreme, and the country seemed every-where unprepared for resistance. Utrecht, beyond all other cities of the union distinguished for the violence of her democratic zeal, surrendered almost as soon as summoned. This important

Prussian army enters Holland.

place was garrisoned by no less than 7000 men, exclusive of the armed citizens, commanded by the Rhingrave of Salm, one of those base but specious characters who appear anxious to gain the public confidence merely to betray it. In a council of war he declared the city to be incapable of sustaining a siege, and concluded for its immediate evacuation, in contradiction to the opinion of M. Bellonet, a French officer at the head of the artillery, who engaged to maintain it for a month. The order of the rhingrave was executed in the utmost confusion. The troops of the garrison retired precipitately towards Amsterdam, and the commander consulting only his personal safety suddenly disappeared. After this conquest the march of the Prussian general bore the appearance of a triumphal procession. While a futile resolve to suspend the office of stadtholder passed the senate of Amsterdam—Gorcum, Dort, Schoonhoven, and other towns in his route, submitted tamely to the conqueror. On the seventh day from the commencement of the invasion, the prince of Orange made his public entry into the Hague. Amsterdam only made a shew of resistance: but on the 10th of October that proud capital, now closely invested, opened its gates to the victor. To the astonishment of the world, that republic which maintained a contest of eighty years against the power of Spain, which contended

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for the empire of the ocean with Great Britain, and which repelled the attacks of Louis XIV. in the zenith of his glory, was over-run by the arms of Prussia in a single month. Such and so dire are the effects which flow from civil discord and disunion! In the whole of this transaction, Prussia acted in intimate and avowed concert with England; and while France was slowly assembling troops in the vicinity of Liege, and the emperor was presenting feeble remonstrances at Berlin, the revolution projected by the stadtholderian faction was carried into complete execution, and the stadtholder triumphantly reinstated in all his real and pretended prerogatives.

It is not to be imagined that the court of Versailles saw the termination of this great contest with frigid indifference; but the distracted state of her own affairs, and the increasing discontents and disorders of the kingdom, in a manner compelled her reluctant acquiescence. The projects of the new minister of finance, M. de Calonne, proved unsuccessful and abortive. In the latter end of the year 1785, a loan of 3,330,000*l.* being the acknowledged *deficit* of the current year, was negotiated; which the parliament of Paris, after repeated remonstrances, at last registered only in pursuance of the king's positive commands; at the same time accompanying it with a resolution importing "that the public œconomy was the only

genuine source of revenue, and the only means of providing for the necessities of the state, and of restoring that credit which borrowing had reduced to the brink of ruin." The king, incensed at their presumption, ordered this resolution to be erased from their records—declaring "that he would never consent that the parliament should so far abuse his confidence and clemency as to make themselves the censors of his administration. He declared himself satisfied with his comptroller-general, and determined on no account to suffer groundless apprehensions to interfere with the execution of plans calculated for the good of the state and the welfare of the nation."

The hostile disposition of the parliament, and the evident impossibility of obtaining their cordial concurrence to the measures in contemplation, determined the minister to adopt a plan more suited to the boldness and extent of his views.

In the month of August, 1786, M. de Calonne presented a memorial to the king, representing "the amelioration of the finances to be essentially connected with public order; and averring that what the national benefit required could not be effected by partial operations, and that the reparation of the whole was necessary to prevent the ruin of the whole. Of consequence, the project he had formed embraced all the parts of the monarchy, and was intended to bring them to a closer union. It would be an inexhaustible source

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of happiness for the people of France; it would set the monarch for ever at rest respecting the situation of his finances; *it would raise his* POWER *higher than that of the most prosperous of his ancestors*, and enrol his name with those of the most virtuous and enlightened legislators. In fine, what induced him to conjure his majesty to adopt it was, that out of the circle of this reformation he could foresee nothing but calamity and ruin."

This magnificent and wonder-working plan was no other than to convene, by royal authority and appointment, after the example of antient times, an assembly of the most considerable and enlightened persons in the kingdom, under the denomination of NOTABLES, by whose influence and under whose sanction "a reformation might (to use the words of M. de Calonne) be effected of whatever was vicious in the constitution of the state." The minister accompanied this proposal with a specification of various details, indicating a vigorous and comprehensive mind, penetrated with a clear conviction of the necessity of a radical reform in the state, so far at least as related to that detestable aggregate mass of extortion and oppression which assumed the lofty appellation of the National System of Finance. Amongst the new regulations recommended by M. de Calonne, were the equalization of the *vingtièmes* or territorial revenue—the abolition of the *corvée*—the establishment of an uniform *tariff* throughout all the provinces of the

kingdom—the alleviation of the odious *gabelle*—the extinction of the feudal rights as vested in the crown—the suppression or melioration of the forest laws—and the application of the royal demesne lands to the service of the public.

Assembly of Notables convened at Versailles.

This memorial was received by the king with approbation; and before the termination of the year summonses were issued accordingly for the meeting of the assembly of NOTABLES at Versailles, on the 22d of February, 1787. It consisted of one hundred and forty-four persons, amongst whom were seven princes of the blood, nine dukes and peers of France, eight field mareschals, eight counsellors of state, and eleven bishops and archbishops. The remaining members were chiefly selected from the different parliaments and magistracies in the kingdom.

The Convention of NOTABLES was opened in great state by the king in person, with a speech from the throne, in which he declared "that they had been chosen by him from the different orders of the state, to impart to them his designs, and to receive from them the observations of which they might think them susceptible. This, said the monarch, has been the custom of many of my predecessors, and particularly of the CHIEF of my FAMILY, whose name remains still dear to every Frenchman, and whose example I shall always be proud to make the rule of my conduct. His majesty then in general terms stated the views by

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which he was actuated—*the* IMPROVEMENT *of the* REVENUE—the equalization of taxes—the liberation of commerce—and expressed the fullest confidence in the zeal with which they were animated for his service." This was followed by a long and elaborate harangue from M. de Calonne, in which he accused his predecessor M. Necker of leaving at his dismission from office an arrear of six hundred and eighty-four millions of livres totally unprovided for. The difference subsisting between the annual revenue and the annual expenditure he estimated at eighty millions. "It is impossible (said this minister) to suffer the state to remain in the constant and imminent danger to which a deficiency such as the present exposes it—impossible to go on year after year applying palliatives and expedients, which, though they may retard the crisis for a time, are sure to render it more fatal at last." The minister proceeds to develope his plan for restoring energy and stability to the state by a grand reform of its abuses, of which he exhibits an interesting and curious detail. In summing up the aggregate of this account, and in solving the grand question, why these intolerable abuses and oppressions have been transmitted from reign to reign, and from age to age, he thus with flowing eloquence expresses himself: "It was not in the bosom of ignorance and confusion, whose veil over-shadowed the times of our first kings—it was not when kings, insecure upon their thrones,

were entirely occupied in repelling the continual usurpations of over-grown subjects—it was not in the midst of the disorder and anarchy of the feudal system, when a band of petty tyrants, issuing from their castles, committed the most atrocious depredations—it was not when the rage for crusades, inflamed by the double enthusiasm of religion and glory, carried into the other hemisphere the strength, the gallantry, and the misfortunes of France—it was not when a prince surnamed Auguste recovered the principal dismemberments of the kingdom, and augmented its power and splendor; nor when the gloomy politics of one of his successors, by giving extension to a municipal government, prepared the means of uniting in the hand of the sovereign all the power of the public strength; nor when the monarch, the most eager after glory and the bravest of knights, contended with a rival sovereign for the renown they both acquired at the expence of their people—it was not in those turbulent and inauspicious times, when fanaticism, rending the bosom of the state, filled it with horror and calamity; nor when that good king, so dear to Frenchmen, conquered his kingdom at the point of his sword, and was taken up in adjusting the long disorders and the disastrous effects of the civil wars—it was not when all the energy of an able and formidable minister was concentrated in the double design of restraining the ambition of a power become for-

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midable to Europe, and of securing the tranquillity of France by establishing the monarchical authority; neither was it under that brilliant reign, when the beneficent intentions of a great monarch were too often thwarted by ruinous wars, when the state was impoverished by victories, while the kingdom was depopulated by persecution; where so much care was bestowed upon giving every thing an air of grandeur, that the solid prosperity of the state was always neglected;—in short, it was not before the monarchy had extended its limits to the points nature had ordained to bound them, before she had arrived at her maturity, and the calm both within and without was securely established by the wisdom and moderation of her sovereign, that it was possible to indulge a thought of reforming the defects of the constitution, and of endeavouring to render the general administration more uniform."

That the patriotic professions of the king and of the minister, in regard to the general reform of abuses, were at this period not wholly insincere, may be reasonably inferred from their anxious desire to be relieved from those pecuniary embarrassments which were by no milder or easier means to be surmounted.

The interests of the crown and of the people, at this crisis, alike required that limits should be placed to the oppression of the PRIVILEGED ORDERS, who constituted in France, as it were, a nation

within a nation. But every idea of fixing legal bounds to the prerogative of the monarch was rejected with indignation. It was not to derive information from their wisdom, and much less to be controlled by their authority, that this assembly had been convened. The obvious and sole intent of the court was to carry its own pre-concerted plans into effect, under the sanction of this phantom of a national representation.

In order to preclude even the shadow of opposition, M. de Calonne had with such admirable adroitness of artifice organized this assembly, that forty-four suffrages should to all efficient purposes constitute the majority of one hundred and forty-four. The assembly was with this view divided into seven sections or chambers, over each of which a prince of the blood presided. Voting by sections, the majority of four would of course be accounted as the majority of the whole, although, had the votes been individually taken, the majority might very possibly be converted into an insignificant minority. Notwithstanding these precautions, so difficult of restraint are the spirit of ambition and the love of power, that the NOTABLES soon displayed a very refractory disposition. Numerous objections were started to the plan laid before them. To the new territorial impost they positively refused their concurrence, unless the accounts and estimates of the government were submitted to their inspection. This

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was refused with disdain; and the king caused it to be signified to them, "that he was determined to introduce the *impôt territorial*, and that it therefore became them to debate, not the principle of the measure, but the most equitable form it could assume." This only rendered the discontent of the assembly violent and general. It was said, that the minister had convoked them merely to serve as a battery, from which to play off his artillery against the parliaments, and oblige them to register the plans he adopted. The enemies of M. de Calonne seized with eagerness this favorable opportunity to effect his ruin. The count de Vergennes, who had powerfully supported in the cabinet the authority and credit of M. Necker, had expired a few days only before the meeting of the NOTABLES. The mareschal de Castries, minister of the marine, the baron de Breteuil, master of the household, and M. de Miromesnil, keeper of the seals, all of the queen's party, were active in the design, in which they were zealously assisted by the numerous friends of M. Necker. In the midst of their investigations, and while M. de Calonne was apparently unsuspicious of danger, the assembly was adjourned from the 5th to the 12th of April for the Easter recess: and on the 8th that minister was dismissed from his employments. Nevertheless, that the triumph of his enemies might not be complete, M. de Miromesnil was at the same time, conformably to the weak and wa-

vering policy of the monarch, commanded to resign the seals. The public clamor and odium rising high against M. de Calonne, whom it was now the fashion to represent as the most extravagant and profligate of ministers, he was exiled by the king to his estate in Lorraine; and he soon afterwards thought it expedient to take refuge in foreign parts from the inveterate rage of his enemies. BOOK XXIII. 1787.

M. de Calonne was succeeded, after a short interval, by M. Lomenie de Brienne, archbishop of Toulouse, a leading member of the Assembly of Notables, and of great popularity in the kingdom at large, as an undaunted advocate and assertor of the principles of universal liberty. The sacrifice of M. de Calonne produced no concessions in favor of the court. The Assembly of Notables, in their subsequent sitting, declared themselves utterly incompetent either to suggest different taxes, or to adopt and sanction those which had been proposed. The views of the court being thus finally frustrated, the assembly was dissolved (May 25, 1787), with a cold acknowledgment from the sovereign of the services which they had rendered to the public; and the archbishop of Toulouse entered upon his office with the prospect of encountering difficulties still more insuperable than those which had proved too mighty to be overcome by the far superior ability of his celebrated predecessor.

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It is not wonderful that, things being thus circumstanced, no vigorous measures were adopted by France to counteract the united interference of England and Prussia in the affairs of Holland. In the month of July (1787), the states of Holland presented to the States General a proposition for soliciting the mediation of the court of Versailles; soon after which, the French embassador presented also a memorial to the States General, declaring the king his master to be highly sensible of this mark of the confidence of the republic, and ready to co-operate by every means in his power for the restoration of harmony and peace. So late as the month of September, France tardily professed her intention of assisting the Dutch, in case they were attacked by any foreign power. This only animated the court of London to act with the greater spirit and decision, and vigorous naval preparations were made to support the king of Prussia, in opposition to the menacing declarations of France. But the object of the Prussian expedition being accomplished in a much shorter space of time than could have been previously imagined, the court of Versailles found itself, probably not without a secret satisfaction, disengaged from all obligations. The duke of Dorset, ambassador at Paris, in consequence of the events which had taken place, presented (October 27th) a memorial to the king of France, signifying, that "no subject of

England arms in support of Prussia.

discussion, much less of contest, now remaining between the two courts, he was authorised to ask, whether it was the intention of his Most Christian majesty to carry into effect the notification made by his Most Christian majesty's plenipotentiary? which, by announcing that succours would be given to Holland, had occasioned the naval armaments on the part of his Britannic majesty, which armaments have been reciprocal. If the court of Versailles is disposed to explain herself satisfactorily on this subject, the ambassador proposes, that all warlike preparations should be discontinued, and that the navies of the two nations should be again placed on the footing of the peace establishment, as it stood on the 1st of January of the present year." To this memorial the count de Montmorin, the new minister for foreign affairs in France, replied on the very same day, in a style of exemplary forbearance and moderation, "that the intention of his majesty not being, *and never having been*, to interfere by force in the affairs of Holland, the communication made to the court of London, on the 16th of last month, having had no other object than to announce to that court an intention, the motives of which no longer exist, especially since the king of Prussia has imparted his resolution; his majesty makes no scruple to declare, that he will not give any effect to the declaration above-mentioned; and agrees with pleasure to the

Unexpected acquiescence of France.

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proposal of mutually disarming, made on the part of his Britannic majesty."

Thus happily and honorably for England did this important business terminate. Foreign powers were astonished to see that country, which had a few years since been apparently reduced to the verge of ruin under an administration pre-eminently odious and contemptible, reassuming her rank among the nations of Europe, and attaining to a visible superiority over that haughty and ambitious rival, whose recent success was now seen to be dearly purchased by her consequent alarming and inextricable embarrassments.

Session of parliament.

The parliament of Great Britain assembled on the 27th of November 1787. The king remarked, "that at the close of the last session he had informed them of the concern with which he observed the disputes unhappily subsisting in the republic of the United Provinces. Their situation soon afterwards became more critical and alarming. The king of Prussia having demanded satisfaction for the insult offered to the princess of Orange his sister, the party which had USURPED the government applied to the Most Christian king for assistance; and that prince having notified to his majesty his intention of granting their request, the king did not hesitate to declare that he could not remain a quiet spectator, and gave immediate orders for augmenting his forces both by sea and

land; and in the course of this transaction he had concluded a subsidiary treaty with the landgrave of Hesse Cassel. In the mean time the rapid success of the duke of Brunswic enabled the provinces to deliver themselves from the OPPRESSION under which they labored; and all the subjects of contest being thus removed, an amicable explanation had taken place between the courts of London and Versailles."

This was the language rather of a zealous partisan of the house of Orange than of a great monarch, who, by a dignified and seasonable interposition, had rescued a country from ruin. It is inconceivable how the existing government of Holland could with any color of justice be stigmatized as an *usurpation*; for by the constitution of that country the prince of Orange, as stadtholder, was not a sovereign, but a subject possessing no share of the legislative power; and though by the *formula* of 1747 the office was declared hereditary, it was not therefore irrevocable any more than the hereditary offices of earl-martial or great-chamberlain under the English constitution: and the oppressions alluded to in the speech were plainly nothing else than the usual severities inflicted upon those who presumed to resist the mandates of the supreme government But in the recent measures adopted by the English court there were, notwithstanding this flagrant impropriety of language, so

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much energy, and at the same time so much practical wisdom, that lesser objections were absorbed and lost in the general merit of the transaction. To the grand proposition—"that it is contrary to the rights of nations, and a violation of the fundamental principles of political justice, for one nation forcibly to interfere in the internal concerns of another"—it must suffice to reply, that however incontrovertible this maxim may be deemed as a general truth, an interference attended with consequences thus eminently beneficial to both parties—Holland being undoubtedly preserved by this coercive interposition from a civil war—must be allowed, like other necessary exceptions from general rules, to deserve not pardon merely, but praise.

The addresses in answer to the speech were voted with great unanimity in both houses; and the minister received from the leaders of opposition, no less than his own partisans, the most liberal commendations for his spirited and judicious conduct. The subsidy to Hesse, by which twelve thousand men were at a vast expence retained for a term of years in the service of Britain, passed without a dissentient vote; and in a short time treaties of amity and alliance were concluded between the courts of London, Berlin, and the Hague, by which the two former guaranteed the stadtholderate in perpetuity to the serene house of Orange,

Alliance between England, Prussia, and Holland.

as an essential part of the constitution of the United Provinces. By the treaty between the kings of Great Britain and Prussia, each of the high contracting powers engages, in case of attack, to furnish the other with a succour of sixteen thousand infantry and four thousand cavalry, or an equivalent in money, within the term of two months from the date of the requisition. Thus was Britain once again fatally intangled in the intricate and inextricable toils of continental engagements.

The army establishment, which had been reduced from seventy to sixty-four regiments at the termination of the war, was now, at the motion of the minister, raised to the customary complement, notwithstanding the vigorous opposition of Mr. Fox, under whose administration the reduction had taken place, and who justly boasted that he was the first minister since the Revolution who had been accused of establishing too small a standing army in time of peace.

Unpopular naval promotion.

A very great naval promotion had also taken place, in the contemplation of a war with France; in which it was remarkable that sixteen captains had been selected for flags, while a much greater number of officers, several of whom were men of the most distinguished gallantry and merit, had been unaccountably passed over in silence and neglect. In consequence of this injurious partiality

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a motion was made in the house of commons, "that the house should resolve itself into a committee to enquire into the conduct of the admiralty in the business of the late promotion." This motion was destined to encounter the vehement opposition of Mr. Pitt, who declared, "that if this resolution passed, the next thing he presumed would be to resolve that the members of that house were better judges of naval concerns than professional men at the head of the marine department." To this Mr. Fox justly replied, that this argument, if admitted in its full extent, would effect the total annihilation of the constitutional powers of parliamentary control. If a complaint were lodged against the conduct of a judge, it might be said, "What do you know of the law? Leave it to the courts below: and thus of every other department in army, church, and state." Upon a divison, the motion was negatived in a house of near three hundred members, by a majority of seventeen voices only. And the first lord of the admiralty, lord Howe, became upon this occasion the subject of very severe and general censure. His lordship soon afterwards resigned his office, and was succeeded by the earl of Chatham. Nearly at the same time the earl of Mansfield resigned the chief-justiceship of England, which he had held with high and undiminished reputation for the long period of thirty-two years. The vacancy thus

Resignation of lord Howe—of the earl of Mansfield.

made was supplied by the attorney-general, sir Lloyd Kenyon, created lord Kenyon.

India declaratory act.

Perpetual disputes having arisen, as had been foreseen and foretold, between the two Boards of Direction and Control, established by Mr. Pitt's India Regulation Bill, the minister thought proper in the course of the session to bring in his famous DECLARATORY ACT, by which various new and important powers were conferred on the Board of Control, under pretext of explaining and determining the sense of the former bill. This measure met with a most animated and formidable opposition. Colonel Barré protested that he had from the first discerned the traces of a system of Indian patronage, of which he believed the bill under discussion to be a great advance to the final completion; and if it should be suffered to pass, a fatal stab would be given to the constitution."

Mr. Sheridan called upon the house to compare the power of Mr. Fox's commissioners with those which were now asserted to belong to the Board of Control. Lord Fitzwilliam could not send out a dispatch; he could neither declare war, nor make peace, in India; he could neither collect the revenues of the Company, nor apply them to the purposes he should think proper, without having first the pleasure of the king signified to him through the medium of the secretary of state. The Board of Control could do all this. The minister

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had now violated that compact with the Company on which he originally and professedly stood.—How then could he escape the ignominy of deliberately breaking his most solemn engagements?

Mr. Burke desired to be informed by administration, "whether, when they brought in the act of 1784, and complained that Mr. Fox's bill took too much, they had honestly stated that all they meant to take was the military power, the political direction, the management of the revenue, and as much as they could get of the commerce? The question then to have put to the house would have been, in whose hands they were willing this power should be intrusted—in the hands of seven of the most respectable men in the kingdom, of parliamentary appointment, or with the shreds and remnants of office? The public had been at that time infatuated, hurried on to madness. The mob of 1784 had destroyed the house of commons, and in so doing they had destroyed the palladium of their privileges; but he now indulged the hope of seeing the house rise like a phœnix regenerated from its ashes." The question of commitment was carried by a majority of fifty-seven voices only, and, on being carried into the house of lords, it experienced a second opposition scarcely less violent than the first. It passed at length, accompanied with a protest signed by sixteen peers, in which the Declaratory Bill was reprobated as

friendly to corrupt intrigue and cabal, hostile to all good government, and abhorrent to the principles of our constitution. The patronage of the Company was said to be enjoyed by the commissioners in the worst of all possible forms, and without that responsibility which was the natural security against malversation and abuse. In some degree to palliate this odious measure, by which the Company were for ever deprived of all efficient authority in India, they were empowered by a subsequent bill to borrow for the relief of their financial embarrassments the sum of 1,200,000*l.* for which, notwithstanding the *flourishing condition* of their affairs, they stood in immediate and urgent necessity.

In the early part of the session the great India delinquent, Mr. Hastings, had delivered in his answer to the impeachment of the commons, who immediately proceeded to the appointment of a committee of managers, to make good the same. When Mr. Francis had been in the last session proposed as one of the committee to prepare the articles, he had been objected to on the ground of the personal animosity known to subsist between him and Mr. Hastings, and which had been unfortunately productive of an encounter, wherein the life of Mr. Francis had been imminently endangered.

Mr. Fox on the present occasion again moved

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the house, that the name of Mr. Francis be added to the list of managers. He urged, "that the house were not sitting as judges of Mr. Hastings—not even in the capacity of grand jurors; the bill had been found, and they were now become his accusers and prosecutors. Did it disqualify a man from acting as an accuser, that he was animated with an honest indignation against the crimes and the criminal whom he attempted to bring to justice? The enmity which Mr. Fr ncis cherished against Mr. Hastings was not a private but a public enmity, founded on a just sense of the abuses he had committed, and the trust he had perverted. Mr. Francis had with infinite application and ability developed, by means of his local and personal knowledge, the whole mystery of Indian corruption; he had enforced it on the reluctant conviction of that house. Would the house, now they had adopted the accusation and made it their own, prevent its author from supporting it at the bar of the house of lords, where only he could support it with effect?"

Mr. Francis himself, with great dignity and animation, entered into a general vindication of his character and conduct. "Upon his return from India he had been called upon (he said) to give evidence before a committee of the house of commons. Could he without treachery to the public refuse every information in his power? To

act in the capacity of a whispering adviser, or an obscure and covert witness, he disdained. In his own opinion, and in that of men of the highest reputation whom he had consulted, he acted far more honorably in declaring himself the responsible accuser of Mr. Hastings—in avowing his principles and abiding by their consequences. He was happy to find that the objection against him implied no imputation upon his character, no suspicion upon his actions. He trusted that no one would think it possible that he meant to solicit the house to alter their resolution. He owed, indeed, every assistance in his power to carry into effect the task now undertaken. Exclusively of that consideration, what could he desire better than to be excused from any further concern in this toilsome, invidious, and most unthankful office?"

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Mr. Pitt contented himself with saying, "that the question was in his opinion a question of feeling, and not of argument; and he could not reconcile to his ideas of propriety or delicacy the appointment of a member, as the representative of the house in this business, who was distinguished from all others by the personal contest in which he had been engaged with the accused." This drew down the indignation of Mr. Burke. "Was it fit or becoming," he asked, "for a legislator, in a great and important question, to say his feelings compelled him to abandon his arguments?—

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that his delicacy was offended by rational investigation?—What was delicacy but at best a superadded flower to virtue—an ornament, the presence or absence of which was alike indifferent to the substance? Delicacy and feeling might be proper terms to express the sensations excited by the exertions of an opera-singer, but they were an insult to the solemnity and magnitude of parliamentary deliberation." At length the house divided on the motion of Mr. Fox, ayes 62, noes 122.

Honorable testimony in behalf of Mr. Francis.

This decision gave extreme offence to the committee of managers, who expressed, in a letter to Mr. Francis, the high sense they entertained of his merits and services. "They had perused (they said) with great attention the records of the Company, and they had found there, on the part of Mr. Francis, wise and steady principles of government, an exact obedience to the authority placed over him, an inflexible integrity in himself, and a firm resistance to all corrupt practices in others—crowned by that uniform benevolent attention to the rights, properties, and welfare of the natives, which had been the leading object in his appointment. Such a conduct, so tried, acknowledged, and recorded, demanded their fullest confidence: and such were the qualities that had excited their wish for his assistance." Thus nobly and unequivocally was the character of this distinguished politician, patriot, and friend to man-

kind, vindicated in the view of present and of future times.

Proceedings against sir Elijah Impey.

Next in dignity, and next in the general estimation in delinquency, to Mr. Hastings, was sir Elijah Impey, chief-justice of the Supreme Court established by the Regulating Act of 1773; against whom it was now determined to institute a similar process. Six articles of impeachment were accordingly in the early part of the session exhibited to the house by sir Gilbert Elliot; of which the conduct of the chief-justice in the memorable business of Nundcomar constituted the first. His decisions in the Patna and Cossijura causes, his acceptance of an employment, contrary to his OATH, in the native court styled the Sudder Dewannee Adaulet, with a salary annexed, to be held during the pleasure of the governor and council, and his proceedings in concert with the governor respecting the affairs of Benares and Oude, furnished ample materials for the remaining charges. On the 4th of February sir Elijah was permitted to make his defence at the bar of the house; which he performed at great length, and with great ability—confining himself however entirely to the charge relating to Nundcomar. For he remarked, with the artfulness of practised and technical subtilty, "that his mind had been so much deranged by the magnitude of that charge, that he found it impossible to exert himself in reply to the

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other accusations till the question of Nundcomar was decided. He could not bear to live under the imputation of MURDER; but if he were acquitted of *that*, he should consider all the other charges as frivolous and unimportant." Being requested to leave the minutes of his defence, as Mr. Hastings had before done, upon the table, the chief-justice declared it to be impossible—having *unfortunately* spoken extempore.

On the 28th of April sir Gilbert Elliot entered upon his summary of the charge. He enlarged upon the "absurdity of enforcing a law founded upon the local customs of one country against the natives of another. To extend by a constructive interpretation the English law against forgery, unknown on the other side the Tweed, to India, was no less preposterous than to try the Great Mogul and the visiers of his court upon the English statute of bigamy. He stated in the strongest terms the expediency and equity of at least granting a respite of the sentence, since conviction had been obtained by evidence the most suspicious, at a time when Nundcomar was in the act of bringing forward an accusation against the governor-general, and when it was evident that the execution of the sentence could not take place without exciting horror and dismay throughout Hindostan. He affirmed, that the blood of the MURDERED RAJAH was upon their heads, and still crying for ven-

geance on the man who had thus stained and crimsoned the spotless ermine of justice." The defence of sir Elijah Impey had, however, engaged and preoccupied the minds of the house. And it must be confessed, that the chief-justice had so skilfully entrenched himself behind the impregnable ramparts of the law—the letter of which, admitting the extension of the system of English jurisprudence to India, he in the whole of this transaction carefully avoided overstepping—that it was difficult to pronounce him in a legal sense guilty, however flagitious his conduct might appear when brought to the test of free and rational investigation. The lawyers in the house seemed to consider it as a common cause, and exerted themselves with peculiar ardor in his behalf; and Mr. Pitt declaring himself convinced of the innocence of the accused, the motion of sir Gilbert Elliot was on the division negatived by a majority of 73 to 65 voices. Such was the effect of this discouraging circumstance, that the farther consideration of the impeachment was adjourned over the session, and it has never yet been resumed. It seems extraordinary, that the acceptance of an appointment contrary to his oath of office, under the governor and council, by the chief-justice, which was the immediate ground of his recall, was not made the leading article of the impeachment, as upon this head all the ingenuity of the profession, excellent and admirable as it is, could have afforded no colorable defence.

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Commencement of the trial of Mr. Hastings.

The trial of Mr. Hastings commenced on the 15th of February—Westminster Hall being fitted up for the purpose with great magnificence. Mr. Burke was no less than four successive days in making his preliminary speech, which was filled with vehement invective, with much rhetorical exaggeration, and with matter wholly extraneous to the subject of the impeachment. Men of plain sense, whose object was TRUTH, and who desired only a clear and simple summary of facts, sighed over these eccentricities and follies; and augured ill of the final success of the impeachment from so injudicious an outset. If approbation, however, was wanting, the place was amply supplied by admiration; and the speech was extolled by the parasitical flatterers of Mr. Burke, as a more than Ciceronian effort of eloquence.

On the 22d of February the Benares charge was opened by Mr. Fox; and it was concluded on the 25th by Mr. Grey, member for the county of Northumberland, whose talents had, at a very early period of life, attracted in an eminent degree the attention of the house, of which he was destined to be one of the chief and most distinguished ornaments.

On the 15th of April, the charge relative to the Begums of Oude was brought forward in a very able manner by Mr. Adam; and the evidence on this charge was summed up by Mr. Sheridan, in a

speech which lasted five days, and of which the more vigorous compression only was wanting to the perfection of eloquence.

Bill for regulating the African slave trade.

The last business of importance which engaged the attention of parliament was a bill brought into the house by sir William Dolben, member for the university of Oxford, a man of the highest integrity and respectability, to regulate the transportation of slaves from the coast of Africa to the West Indies. At the beginning of the year, a multitude of petitions had been presented from the different towns, cities, and counties of the kingdom, imploring in earnest and affecting terms the abolition of that superlatively nefarious and detestable traffic. A motion on the subject of these petitions was expected to be made by Mr. Wilberforce, member for Yorkshire; but in consequence of the long-protracted and unfortunate indisposition of that gentleman, Mr. Pitt on the 9th of May moved a resolution, importing that the house would early in the next session proceed to take into consideration the state of the slave-trade. The bill of sir William Dolben, which was intended merely to establish a certain reasonable proportion between the number of slaves and the tonnage of the ships, was violently and obstinately opposed by petitions from the merchants of London and Liverpool concerned in the African trade. Counsel being therefore engaged, and witnesses

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examined, it appeared in evidence at the bar of the house, that five feet six inches in length, and sixteen inches in breadth, was the average space allotted to each slave. The lower deck of the vessel was entirely covered with bodies. The space between the floor of that deck and the roof above, in height about five feet eight inches, was divided by a platform, also covered with human bodies. The slaves were chained, two and two, by their hands and feet, and by means of ring-bolts fastened to the deck. In that sultry climate, their allowance was a pint of water each *per diem;* and they were usually fed twice a day with yams and horse-beans. After meals they were compelled by the whip to jump in their irons, which by the slave dealers was called dancing. They had not, as was emphatically stated, when stowed together, so much room as a man in his *coffin*, either in length or breadth. They drew their breath with laborious and anxious efforts, and many died of mere suffocation. The customary mortality of the voyage exceeded seventeen times the usual estimate of human life. A slave ship, when full fraught with this cargo of wretchedness and abomination, exhibited at once the extremes of human depravity and human misery.

Mr. Pitt, who, on various occasions, has dropped the statesman to assume the nobler character of the philanthropist, declared with indignant

eloquence, "that if, as had been asserted by the members for Liverpool, the trade could not be carried on in any other manner, he would retract what he had said on a former day, and, waving every farther discussion, give his instant vote for the annihilation of a traffic thus shocking to humanity. He trusted that the house, being now in possession of such evidence as was never before exhibited, would endeavour to extricate themselves from the guilt and remorse which every man ought to feel for having so long overlooked such cruelty and oppression." The bill was carried up June 18th to the house of lords, where it was fated to encounter the determined opposition of lord Thurlow. His lordship said, that the bill was full of inconsistency and nonsense. The French had lately offered premiums to encourage the African trade, and the natural presumption was, that we ought to do the same. This measure appeared to him very like a breach of parliamentary faith. As to himself, he scrupled not to say, "that if the fit of philanthropy which had slept so many years had been suffered to sleep one summer longer, it would have appeared to him more wise than to take up the subject in this disjointed manner." The duke of Chandos ventured to predict a general insurrection of the negroes in the West Indies, in consequence of the agitation of the present question. And lord Sydney, who had

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once ranked among the friends of liberty, expressed in warm terms his admiration of the system of the slave laws established in Jamaica, and saw no room for any improvement. The bill was defended by the duke of Richmond and marquis Townshend in a manner which did honor to their understanding and feelings: and it finally passed by a considerable majority.

The king put an end to the session July 11, by a speech from the throne, in which he complimented the two houses on their attention and liberality. "His faithful subjects had every reason (as he affirmed) to expect the continuance of the blessings of peace; and the engagements which he had recently formed with the king of Prussia and the States General of the United Provinces, would, he trusted, promote the security and welfare of his own dominions, and contribute to the general tranquility of Europe."

Alarming illness of the king.

Soon after the recess of parliament, the king, who had been for some time rather indisposed, was advised by his physicians to try the mineral waters of Cheltenham, which he was believed to drink in too profuse a quantity. His health appeared, nevertheless, during his residence there, greatly established; and he amused himself and gratified his people by various excursions in the vicinity of that place, displaying on these occasions much condescension and affability, and being every

where received with loud acclamations. On his return to Windsor, late in the summer, his illness returned with new and alarming symptoms. By the end of October, it could no longer be concealed that the malady of the king was of a nature peculiarly afflictive and dreadful. A mental derangement had taken place, which rendered him totally incapable of public business.

Session of parliament.

The parliament had been prorogued to the 20th of November; a few days previous to which, a circular letter was issued by the ministers, in which the impracticability of a farther prorogation was signified, and the attendance of the members earnestly requested. Parliament being accordingly assembled, the state of the king's health was formally notified to the house of peers by the lord-chancellor, and to the commons by Mr. Pitt: and as the session of parliament could not be opened in the regular mode, an adjournment of fourteen days was recommended; at the end of which term, if the king's illness should unhappily continue, it would be incumbent upon them to enter into the immediate consideration of the state of public affairs. Upon the re-assembling of parliament, on the 4th of December, a report of the Board of Privy Council was presented to the two houses, containing an examination of the royal physicians; and it was properly suggested, that, considering the extreme delicacy of the subject, and the dignity of

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the person concerned, parliament would do well to rest satisfied without any more direct and express information, especially as the examinations of council had been taken upon oath, which the house of commons had no power to administer.

Proceedings relative to the regency.

The situation of affairs was at this period singularly critical. The prince of Wales, into whose hands the government of the country was soon likely to fall, retained a deep resentment against the present ministers for their recent conduct respecting him, and took no pains to conceal his decided predilection for the person and politics of Mr. Fox. This distinguished leader, on the earliest intelligence of the king's indisposition, had returned from a summer excursion to the continent with incredible expedition; and in contemplation of an approaching change, a new arrangement of administration was already believed to be formed, consisting of the principal members of the former coalition ministry, lord North only excepted, and of which the duke of Portland was to be once more the ostensible head. The policy of opposition seemed evidently repugnant to every idea of unnecessary delay. Yet doubts were unaccountably started by Mr. Fox, Mr. Burke, and others of the same party, whether parliament could in this momentous case dispense with that sort of evidence on which they had been accustomed to proceed. The validity of the objection

was very faintly contested, and a committee of twenty-one persons in each house, after no long debate, appointed to examine and report the sentiments of the royal physicians. The report of the committee was laid upon the table of the house of commons on the 10th of December; when a motion was made by Mr. Pitt, for the appointment of another committee to inspect the journals for precedents of such proceedings as had been adopted in former instances, when the sovereign authority was suspended by sickness, infirmity, or any other cause.

Mr. Fox, sensible perhaps of his former error, now opposed with energy the present motion, as calculated only for delay. With respect to precedents, there were, he said, notoriously none which applied to the present instance; and he affirmed, that all which was requisite to their ultimate decision had been obtained by the report now lying upon their table. By that report they had ascertained the incapacity of the sovereign. And he advanced as a proposition deducible from the principles of the constitution, and the analogy of the law of hereditary succession, "that whenever the sovereign was incapable of exercising the functions of his high office, the heir apparent, if of full age and capacity, had as indisputable a claim to the exercise of the executive authority, in the name and on the behalf of the sovereign, during

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his incapacity, as in the case of his natural demise."

Mr. Pitt, eager to seize any occasion of postponing, by the intervention of extraneous questions, the ultimate decision, immediately rose with much apparent warmth, and declared, "that the assertion which had been made by Mr. Fox was little short of TREASON against the CONSTITUTION. And he pledged himself to prove, that the heir apparent, in the instances in question, had no more right to the exercise of the executive power than ANY OTHER PERSON; and that it belonged entirely to the two remaining branches of the legislature, to make such a provision for supplying the temporary deficiency as they might think proper." Thus was this famous question at issue between these two political rivals: in which it was remarkable, that Mr. Fox, the great advocate of the rights of the people, became the defender of prerogative; and Mr. Pitt, who had been loudly accused of deserting the principles of liberty, appeared in the advantageous light of their intrepid and zealous assertor. All those popular arguments and primary axioms of government, on which the friends of freedom so justly delight to dwell, were upon this occasion urged by Mr. Pitt with the greatest success. "When the regular exercise of the powers of government was from any cause suspended, to whom could the right of providing a remedy for

the existing defect devolve, but to the people, from whom all the powers of government originated? To assert an inherent right in the prince of Wales to assume the government was virtually to revive those exploded ideas of the divine and indefeasible authority of princes which had so justly sunk into contempt and almost into oblivion. Kings and princes derive their power from the people, and to the people alone, through the organ of their representatives, did it appertain to decide in cases for which the constitution had made no specific or positive provision." In vain was every effort attempted to stem the tide of popular opinion, which ran with no less violence at this crisis in favor of Mr. Pitt than at the commencement of his ministerial career. In vain was it urged, in opposition to the specious reasonings and artful conclusions of the minister, that the primary principles of government were not the subjects of the present controversy. The question was simply, to determine what the analogy of the constitution required in a case wherein no recourse could be had to authoritative precedents or to legal decisions. The constitutional authority of parliament to provide for the safety of the nation, in an exigency like the present, must be universally acknowledged. But the doubt was, whether, in the appointment of a regent, they were to exercise a judicial or an elective authority. If the former, the busi-

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ness was at an end; for they must necessarily *adjudge* the regency to the prince. But if they were to exercise an arbitrary elective power, Mr. Pitt might make himself competitor of the prince of Wales. Upon the regent of their ELECTION they would undoubtedly, as was the practice in all elective governments, impose such limitations as they thought proper. Thus the balance of the constitution would be destroyed, the executive power would become wholly dependent upon the legislative, and the genius of the government would be radically and essentially changed. The sovereign authority is not a property, but an office. To execute that office, certain powers are necessary; and whoever exercises it, and under whatever name he acts, ought to be possessed of those necessary powers; and no man under any title or denomination ought to be invested with more than are necessary. If hereditary monarchy be established as a salutary provision to frustrate the machinations of faction, the same rule applies to a regent, who ought to be invested with all the authority requisite to preserve the tranquillity and promote the welfare of the state." Mr. Fox not choosing to take the sense of the house, Mr. Pitt's motion for precedents was carried without a division.

A similar motion was the next day made by lord Camden in the house of peers, and the doc-

trine of Mr. Fox reprobated by his lordship with great severity. It was on the other hand defended with eloquence and ability by lord Loughborough, and lord Stormont, who concluded his speech with recommending an immediate address to the prince of Wales, entreating him to assume the exercise of the royal authority. The discussion of the abstract question of right being perceived to afford a great and unexpected advantage to the ministry, the duke of York, soon after this debate, in the name of the prince, expressed his wishes, "that the question might be waved. No claim of right," his highness said, "had been advanced by the prince of Wales; and he was confident that his brother too well understood the sacred principles which seated the house of Brunswic upon the throne, ever to assume or exercise any power, be his claim what it might, that was not derived from the will of the people expressed by their representatives."

Lord Thurlow, who had at first consented to take a part in the new administration, in the arrangement of which the post of lord president had been assigned to him, now varying the course of his policy, spoke with great energy of his "sentiments of affection towards the king. Nothing could be more disgraceful than to desert the sovereign in his distressed and helpless situation. His own debt of gratitude was ample; and when he

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forgot his king might GOD forget him." These expressions were rumored to be the result of certain intimations, which his lordship had recently received, of the happy and not very distant prospect of the king's recovery. This was however as yet a matter of anxious and precarious *speculation*.

In the committee on the state of the nation, December 16, Mr. Pitt moved two declaratory resolutions, importing, 1. The interruption of the royal authority; and 2. That it was the duty of the two houses of parliament to *provide the means* of supplying that defect. A vehement debate ensued; in the course of which Mr. Fox declared "the principles of the minister to be, that the monarchy was indeed hereditary, but that the executive power ought to be elective. The legal metaphysics that thus distinguished between the crown and its functions were to him unintelligible. The investigators should be schoolmen, and not statesmen, if a question that so deeply involved the existence of the constitution were to be thus discussed. Where (said he) is that famous DICTUM to be found, by which the crown is guarded with such inviolable sanctity, while its *powers* are left to the mercy of every assailant?" The resolution was at length carried, on a division, by 268 against 204 voices. This great point being gained, the ministry proceeded without hesitation or delay to convert it to their own pre-concerted purposes.

On the 23d of December, a third resolution passed, empowering the chancellor of Great Britain to affix the great seal to such bill of limitations as might be necessary to restrict the power of the future regent. This mode of procedure was opposed with great animation by lord North. "A person," said his lordship, "is to be set up without power or discretion; and this pageant, this fictitious being, is to give the force of a law to the decisions of the two houses. Was it ever before heard of, that there could be a power of giving assent without the power of refusing that assent? Would any man seriously maintain that the third estate thus conjured up is really distinct from the other two?" It was styled, in the heat and passion of debate, "an insulting fraud," a "mockery of legislation," a "legal forgery." And an amendment was finally moved by Mr. Dempster, "That the prince of Wales be requested to take upon himself the administration of the government during the royal incapacity." On the division the amendment was negatived by 251 to 178 voices.

The resolutions which had passed the commons being communicated for the concurrence of the lords, a similar amendment to that of Mr. Dempster was moved by lord Rawdon; when, after a violent debate, the resolutions were confirmed, on a division of 66 to 99 peers.

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On the 2d of January, 1789, to complete the singularity and perplexity of the business, died Mr. Cornwall, speaker of the house of commons; and on the 5th, the vacant chair was filled by Mr. Grenville, brother to lord Temple,—the irregularity of his entering upon the duties of his office without the sanction of the royal approbation being scarcely noticed, amid the pressure of affairs so much more important. The plan of limitations, when ready to be introduced into the house, was obstructed by an unseasonable motion of Mr. Loveden, (January 6) that the physicians be re-examined on the subject of the king's illness, and the probability of recovery. This motion was the result of various reports respecting the disagreement of opinion amongst the physicians themselves,—reports sufficiently corroborated by the subsequent examination, which left the house as much in the dark as ever as to the event, answering no other purpose than to create an additional delay, of which the minister well knew the value and the advantage. A letter had previously been written to the prince of Wales by Mr. Pitt, informing his royal highness of the plan meant to be pursued:—that the care of the king's person, and the disposition of the royal household, should be committed to the queen, who would by this means be vested with the patronage of four hundred places, amongst which were the great offices of lord

steward, lord chamberlain, and master of the horse; that the power of the prince should not extend to the granting any office, reversion, or pension, for any other term than during the king's pleasure, nor to the conferring any peerage. The answer of the prince (dated January 2) was firm, dignified, and temperate. He said, "it was with deep regret that he perceived in the propositions of administration a project for introducing weakness, disorder, and insecurity, into every branch of political business—for separating the court from the state, and depriving government of its natural and accustomed support; a scheme for disconnecting the authority to command service from the power of animating it by reward, and for allotting to him all the invidious duties of the kingly station, without the means of softening them to the public by any one act of grace, favor, or benignity. He observed, that the plea of public utility must be strong, manifest, and urgent, that could thus require the extinction or suspension of any one of those essential rights in the supreme power or its representative, or which could justify the prince in consenting, that in his person an experiment should be made to ascertain with how small a portion of kingly power the executive government of his country could be conducted. In fine, the prince declared, that his conviction of the evils which might otherwise arise outweighed in

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his mind every other consideration, and would determine him to undertake the painful trust imposed upon him by that melancholy necessity which of all the king's subjects he deplored the most."

A series of propositions, in which were comprised this wild and dangerous project, the offspring of party interest and personal ambition, calculated only, as was justly and forcibly remarked, "to establish a weak government and a strong opposition," were brought into the house of commons by the minister, Mr. Pitt, on the 16th of January (1789). Long and violent debates ensued, in which the plan of limitations was attacked in its principle and all its parts with the united powers of argument and eloquence. In animadverting upon that most extraordinary provision which conferred the disposal and patronage of the royal household upon the queen, on pretence of maintaining the respect due to the personal dignity of the king, Mr. Burke pronounced this to be no other than "a solemn mockery of royalty, when it was known to the whole world that Providence, in its inscrutable wisdom, had *hurled* the monarch from his throne, and had reduced him to a state in which he was the object of compassion to the meanest of his subjects."

Mr. Sheridan declared the real spring of Mr. Pitt's measures to be very obvious. Had the present minister and his colleagues entertained any

expectation of retaining their places, the limitations would never have been heard of. The whole of Mr. Pitt's conduct was governed by party considerations and the impulse of personal ambition. Whence could the idea of with-holding the patronage of the royal household originate, but from the desire of erecting a fortress from which when he was out of office he might counteract the measures of the existing administrative government?

The pretext made use of by Mr. Pitt that the great officers of the household were domestic servants of the king, was ridiculed by lord North, who affirmed them to be the political servants of the crown, inseparably annexed to it, in its highest or sovereign capacity, the supports of its dignity, and an undoubted source of its influence. And he represented the weight which this influence, placed in hands adverse to the executive government, might be expected to have in perplexing and embarrassing its measures, as a solecism in politics irreconcileable with the first principles of the constitution, and as establishing a most pernicious and dangerous precedent.

Mr. Fox spoke in terms of indignation and abhorrence of a plan most artfully framed on a perfect knowledge of the weakness of human nature, to introduce discord and endanger affection between persons most nearly connected by the ties of blood and in the bonds of duty.

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Some very striking remarks on the general plan of restrictions were also made in this stage of the business by colonel Fullarton. Mr. Pitt had throughout been anxious to shelter his proceedings under the sanction of precedents and the analogies of history. But it was remarkable that he invariably contented himself with alleging the precedents themselves, remote as they were in point of time, and doubtful in point of authority—simply and abstractedly without bestowing a single thought on their tendency or consequences. The division of power which took place under the sanction of parliament at the commencement of the reign of Henry VI. when the factions of Gloucester and Winchester strove for superiority, was most disastrous and fatal both to the king and kingdom. Yet this was the grand precedent on which Mr. Pitt mainly relied; and which avowedly served as the foundation of his proceedings.

Colonel Fullarton, however, in this debate challenged the minister to produce a single example from the history of England, France, Spain, or any other country, where the established legal powers of executive government were maimed, mutilated, and restrained, without producing inefficiency, counter-action, and disgrace. The colonel, with peculiar happiness, adverted to the example of France as well as of England at the precise period alluded to by Mr. Pitt. Charles VI.

who then filled the Gallic throne, was afflicted with an incurable mental malady. His queen was Isabella of Bavaria, a princess attached only to her treasures; and influenced by the chancellor, the prime minister, and other principal officers of the court, who were afraid that if the government should be entrusted to the heir apparent during the king's incapacity they would lose their situations. Under this impression the desperate resolution was formed of insulting the heir apparent, and excluding from the administration of government that able and distinguished prince. The minister at that time, who was the chief confident of Isabella, was Mervilliers, who commenced his career in the profession of the law, but quickly found a nearer opening to advancement by the more productive path of politics. The minister and his party trusting to his eloquence, his talents, his temerity, and his credit with a large portion of the public, undertook to obtain the co-operation of Isabella to the exclusion of her own son from the government; and to procure the thanks of the city of Paris in so doing for his disinterested and virtuous conduct. Under these circumstances the treaty of Arras had been concluded; and by means of the chancellor and a fiction of the parliament of Paris, he affixed the great seal to acts which were the consequence of that treaty. And thus he devised means for prostituting the royal assent at a

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time when that assent could not possibly be given. But what were the consequences of these transactions? The kingdom was betrayed to its rivals, subjected to the mercy of a foreign enemy, and was not rescued from these disasters but by the injured and excluded prince, who possessed the most interesting qualities and the most fascinating manners, and who had attached to his cause the noblest spirits and the best abilities of his country.

The propositions at length passed the commons by a large majority. But the contest in the house of lords was equally obstinate: and a protest was in the course of it entered (January 23) upon the journals of the house, signed by the dukes of York and Cumberland, and fifty-five other peers, expressive of their highest indignation at the restrictions on the executive authority thus arbitrarily imposed. A committee appointed by the two houses then presented in form the resolutions to the prince, who in somewhat indignant though not unguarded terms, declared his acceptance of them. He declared himself sensible of the difficulties that must attend the execution of the trust proposed to him, in the peculiar circumstances in which it was committed to his charge, of which (said his royal highness) as I am acquainted with no former example, my hopes of a successful administration cannot be founded on any past experience. And he expressed his confidence that the li-

mitations on the exercise of the royal authority were intended by the two houses only as a temporary measure, founded on the loyal hope in which he ardently participated that his majesty's disorder might not be of long duration.

On the next day, being the 31st January, lord Camden, with a view to restore, as his lordship expressed himself, "the efficacy of legislation," moved that the lord chancellor be directed, by authority of the two houses of parliament, to issue a commission in the name of the sovereign for opening the session, consisting of the princes of the blood and all the great officers of state. This finally passed both houses, not however without severe animadversion, as the unwarrantable creation of a pretended executive power, set up for the purpose of giving a false and deceitful sanction to measures the most unconstitutional: and the princes of the blood expressly refused to suffer their names to appear on this feigned commission.

The session was accordingly opened in form by the lords commissioners upon the 3d February. The arguments on both sides being in the course of the former debates nearly exhausted, the introduction of the bill, founded on the propositions already agreed upon, did not excite any great or renewed attention. It passed the house of commons February 12, with some amendments and variations; the peerage clause in particular being

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limited to three years. In the course of the succeeding week the bill had advanced, after encountering much unavailing opposition, to the stage of commitment, amidst very just and general apprehension as to the consequences.

These extraordinary and unprecedented measures were at length, happily for the public, arrested in their progress by an official information from the lord chancellor that the king was declared by his physicians to be in a state of convalescence. An adjournment of all farther proceedings in the bill immediately took place; and for near three weeks a total suspension of all parliamentary business ensued. This was followed by a declaration on the 10th of March, that his majesty, being perfectly recovered from his indisposition, had ordered a commission to be issued for holding the parliament in the usual manner. The tidings of the king's recovery diffused the most general and heartfelt satisfaction. A national thanksgiving was appointed, and the king himself went in solemn procession to the cathedral of St. Paul's, to offer up his grateful devotions on this event; which was celebrated throughout the kingdom by splendid illuminations, and all the other accustomed demonstrations of joy.

Wise conduct of the Irish parliament respecting the regency.

The conduct of the Irish parliament in this business formed a striking contrast to that of the English; and was dictated by a policy the most

simple, obvious, and rational. On the ascertainment of the fact respecting the incapacity of the sovereign, Mr. Conolly moved, February 11, 1789, "That an address be presented to the prince of Wales, requesting him immediately to take upon himself the government of that kingdom as regent, during the continuance of the king's incapacity." This was carried WITHOUT A DIVISION. To this resolution the house of lords acceded. But the lord-lieutenant, the marquis of Buckingham (late Earl Temple), refusing, by a rash and hazardous exercise of discretion, to transmit this address to England, commissioners were appointed by both houses to present the address in person to his royal highness. The rapid and unexpected recovery of the king happily superseded the object of their commission. But the prince in his reply declared, "that nothing could obliterate from his memory the sentiments of gratitude which he felt for their generous kindness."

Perfect recovery of the king.

Among the innumerable evils attending the mode of procedure adopted by the British parliament, one of the most formidable was the possible, and even probable, dissimilarity of the decisions of the two legislatures. Had the prince of Wales refused, under the degrading circumstances with which the offer of the regency was accompanied in England, to accept the government of the kingdom, there is good reason to believe that it would

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have been conferred upon the queen, while the prince would have been constituted regent of Ireland, with the usual powers of royalty. This would doubtless have given rise to a question of the most important, and at the same time of the most difficult, nature, viz. Whether Ireland, agreeably to the political compact subsisting between the two countries, could constitutionally emancipate herself from the executive government established in England, under whatever name, or by whatever persons, it might be exercised? Of this perplexing and dangerous question, the prudence of the prince, in accepting of the regency under all the concomitant humiliating restrictions of parliament, fortunately precluded not only the investigation, but even the mention.

In the speech delivered by the chancellor in the name of the king to the two houses, his majesty conveyed to them his warmest acknowledgments for the additional proofs they had given of their attachment to his person, and their concern for the honor and interest of his crown. It soon appeared that the late proceedings of the ministry were in the highest degree acceptable to the sovereign: and those persons holding posts under the government, who had concurred in the measures of the opposition, were unceremoniously dismissed from their offices; amongst whom were the marquis of Lothian, the duke of Queensberry, lord Carteret, and lord Malmesbury.

This was the first occasion on which the queen in the long course of twenty-eight years had attracted public notice as taking any part in political concerns; and she now exhibited herself in a mode by no means to her advantage. Eager to secure what share she could of the regal authority, and even, if circumstances favored, to grasp the whole, she scrupled not to set herself at the head of the opposition to her son, now of mature age for government, but who, if the plan of the minister had been carried into effect, would have been little more than a pageant of state. After the recovery, or partial recovery of the sovereign, it was thought that her majesty, who had now acquired a relish for power, entered deeply into political intrigue, and employed her whole influence in favor of the existing minister, without displaying any of the talents or capacity for government which so remarkably distinguished her illustrious predecessor, the late queen Caroline. It was rumored too by those who had access to the court, that in proportion as her prudence declined her pride increased, and that her original attention to economy had degenerated into the most sordid meanness and avarice.*

* In allusion to a well known foible of this princess, the following epigram was composed by a lady celebrated for her wit and talents:

These are my jewels, wise Cornelia said,
While round about her knees her children play'd.
Viewing her jewels with admiring eyes,
These are my children, wiser Charlotte cries.

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Shop Tax repealed.

Before the first auspicious moments of gratulation had subsided, Mr. Fox renewed his popular motion for the repeal of the Shop Tax, to which Mr. Pitt did not, in the present circumstances, choose any longer to refuse his assent; though he declared he had heard nothing in the way of argument which induced him to change his original opinion. He accordingly moved an omission of that part of the preamble to the bill of repeal, by which the tax was pronounced a partial and oppressive imposition, militating against the just principles of taxation.

Hawkers' and Pedlars' act explained and amended.

Mr. Dempster at the same time moved for a repeal of the Hawkers' and Pedlars' Tax, which was originally imposed on the extraordinary ground of its operating as an indemnity to the shopkeeper; thus sacrificing one set of men to the convenience and accommodation of another. A total repeal of this law nevertheless could not be obtained; but a bill passed to explain and amend the act, by which the more onerous clauses were mitigated, and these friendless and injured people restored in some measure to their civil and commercial rights.

Mr. Beaufoy's second motion for the repeal of the Test.

A motion of much greater importance was introduced soon after this (May 8) by Mr. Beaufoy, being a renewal of the application two years ago submitted to the house, for the repeal of the Corporation and Test Acts; "prompted (as he said) thereto by the unalterable confidence which the

dissenters reposed in the disposition of the house to do justice to the injured, and afford relief to the oppressed. And they could not forget how frequently the legislature had granted the requests, which causeless alarms had at first induced them to refuse." This motion was supported by Mr. Fox with a force of argument which could not but make some degree of impression on the most callous and prejudiced mind. This great statesman laid it down as a primary axiom of policy, " that no human government had jurisdiction over opinions as such, and more particularly over religious opinions. It had no right to presume that it knew them, and much less to act upon that presumption. When opinions were productive of acts injurious to society, the law knew how and where to apply the remedy. If the reverse of this doctrine were adopted, if the actions of men were to be prejudged from their opinions, it would sow the seeds of everlasting jealousy and distrust; it would give the most unlimited scope to the malignant passions; it would incite each man to divine the opinions of his neighbour, to deduce mischievous consequences from them, and then to prove that he ought to incur disabilities, to be fettered with restrictions, to be harassed with penalties. From this intolerant principle had flowed every species of party zeal, every system of political persecution, every extravagance of religious hate.

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It was an irreverent and impious opinion to maintain that the church must depend for support as an engine or ally of the state, and not on the evidence of its doctrines, and the excellency of their moral effects. Moderation and indulgence to other sects were equally conducive to the happiness of mankind and the safety of the church. Since the æra of the revolution the church had flourished, because her imaginary fears had been dissipated. She had improved in knowledge and candor, because, instead of being enabled to impose silence on the dissenters by the strong hand of power, she had been obliged to hear their arguments; and the community at large had found the happy effects, which a collision of opinions in open and liberal discussion, among men living under the same government, never fails to produce. There were many men not of the establishment, to whose services their country had a claim. Surely a citizen of this description might be permitted without danger or absurdity to say, 'Though I dissent from the church, I am a friend to the constitution; and on religious subjects I am entitled to think and act as I please.' Ought the country to be deprived of the benefit she might derive from the talents of such men, and his majesty be prevented from dispensing the favors of the crown except to one description of his subjects? Mr. Fox declared himself a friend to an establishment

of religion in every country, framed agreeably to the sentiments of the majority of its inhabitants. But to invest that establishment with a monopoly of civil and religious privileges was palpably unjust, and remote from the purpose of an establishment, which was no otherwise connected with the state, than as it tended to promote morality and good order among the people. The Test and Corporation Acts had subsisted, it was contended, for more than a century. True! But how had they subsisted? By repeated suspensions. For the Indemnity Bills were, literally speaking, annual acts. Where then would be the impropriety of suspending them for ever by an act of perpetual operation?—Let not Great Britain be the last to avail herself of the general improvement of the human understanding. Indulgence to other sects, a candid respect for their opinions, a desire to promote charity and good will, were the best proofs that any religion could give of its divine origin. To the church of England in particular he would say,

'Tuque prior, tu parce genus qui ducis Olympo.'"

Such are the noble and exalted sentiments which have long elevated Mr. Fox to the rank of the first statesman of his age and nation.

The motion of Mr. Beaufoy was zealously opposed by lord North, in a speech consisting, as it was justly described by a member of the house in

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debate, of "a series of pompous nothings." Mr. Pitt also again appeared as its opponent, in an artificial harangue decorated with a great external shew of candor and speciousness of language.

On a division the numbers were, ayes 104, noes 124; so that this important question—important indeed even beyond what the minister himself probably had at this period any conception of—was lost by twenty voices only. This therefore might be regarded as a decided victory on the part of the dissenters, had they known how to improve their advantage. But their resentment against the court and the minister was not at all abated by the soft and soothing expressions by which Mr. Pitt attempted to disguise and palliate his refusal: and the ground they had gained, in despite of the courtly machinations against them, excited a degree of elation which led to gross and fatal indiscretions.

Lord Stanhope's motion for repealing various penal statutes.

About this period, a bill of a nature very meritorious was introduced into the house of peers by lord Stanhope, for the repeal of a number of obsolete and vexatious laws, inflicting penalties upon persons absenting themselves from the service of the church, speaking in derogation of the book of Common Prayer, &c. On the second reading, Dr. Moore, archbishop of Canterbury, a prelate of a disposition naturally mild and generous, roused by this alarming attack upon the CHURCH, rose to

give his decided opposition to the measure. "The bill under their lordships' discussion, if permitted to pass, would serve as a cover (his grace affirmed) to every species of irreligion. If unrestrained speaking, writing, and publishing, on the subject of religion were tolerated, there was scarcely any mischief to the church or to civil society that imagination could frame which might not be effected. The very foundation of religion, *as by law established*, might be undermined and overthrown."

Dr. Warren, bishop of Bangor, observed, "that it remained for these days of licentiousness to call in question the propriety and wisdom of those regulations which their lordships were now solicited to repeal. To compel men by penalties not to absent themselves from the public places of worship did not militate against any sort of religious liberty, since the dissenters were allowed to resort to their own congregations: and he who would not communicate with either, might well be supposed to hold doctrines injurious to the state, and which ought not to be tolerated."

Dr. Halifax, of St. Asaph, enforced this assertion, and reminded the house of the institution among the Locrians, which obliged every man that proposed a repeal of an existing law to come into the assembly with a rope about his neck.

Dr. Horseley, of St. David's, expressed himself in terms still more indignant, and with still greater

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ardor of holy zeal. He said, "the bill in question was calculated to tear away the foundations of the church of England, and through her means to destroy the very being of the English constitution. The act of Elizabeth, imposing a fine upon the non-attendants on divine worship, was a salutary law. It was a mistake to suppose the right of private judgment in religion unlimited. The magistrate had a right to punish atheism, as a crime against the welfare of society; and, by the same rule, to punish a contempt for the revelation of God in the Christian religion. There was moreover always danger in disturbing ancient laws, for the existence of which, at a distant period, no good reason could be given. Their wisdom, though not obvious at the period of the repeal, was generally proved by the mischief that ensued upon their annihilation."

Lord Stormont, enlightened and enraptured with these arguments, paid high compliments to the bench of bishops, declaring that they had that day done themselves infinite credit, and rendered their characters sacred in the public estimation. It is needless to say that the bill was rejected.

On the approach of the summer recess, Mr. Dundas, agreeably to the tenor of the India Regulation Bill, made his annual statement of the finances of the Company, which he represented as in a most prosperous and flourishing condition;

concluding however, as usual, with a motion to empower the Company to raise the sum of one million, by way of increase of capital, to be subscribed by the present proprietors of East-India stock; and the bill founded on this motion passed both houses with trivial opposition.

Mr. Wilberforce's motion respecting the abolition of the slave-trade.

The session was far advanced, when Mr. Wilberforce brought forward his long-expected motion, relating to the abolition of the African slave-trade, which was now become the theme of public execration. Mr. Wilberforce divided his subject into three parts—the nature of the trade as it affected Africa itself; the appearance it assumed in the transportation of the slaves; and the considerations suggested by their actual state in the West Indies. What must be the natural consequence of a slave-trade with Africa, with a country vast in its extent, not utterly barbarous, but civilized in a very small degree? Was it not plain that she must suffer from it? that her savage manners must be rendered still more ferocious, and that a slave-trade carried on round her coasts must extend violence and desolation to her very centre? Such were precisely the circumstances proved by the evidence before the privy-council. As to the mode in which the slaves were transported from Africa to the West Indies, he affirmed that so much misery condensed into so small a compass was more than human imagination had ever before

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conceived. It was the constant practice to set sail in the night, that the slaves, wrung with distress at quitting for ever their native country, might not be sensible of the moment of departure. This dreadful event was marked with songs and tears of lamentation. It appeared in evidence, that a captain more susceptible than the rest had threatened a woman with the terrors of the lash, because her song was too painful for his feelings. The mortality on board the ships was prodigious; and, including the subsequent *seasoning*, it did not amount to less than 50 per cent.

On their arrival in the West Indies, astringents and washes were employed to hide their wounds, and *make them up for sale*—artifices at once fraudulent and fatal. This infamous traffic was also known to be the grave of sailors employed in it. Of 3170 seamen who sailed from Liverpool in 1787, only 1428 had returned.

Mr. Wilberforce said he felt the wickedness of the slave-trade to be so enormous, so dreadful, and irremediable, that he could stop at no alternative short of its abolition. He acknowledged that his mind had indeed been harassed with the objections of the West-India planters, who had asserted that the ruin of their property must be the consequence of this regulation. He could not, however, help distrusting their arguments. He could not believe that the Almighty Being, who forbade the

practice of rapine and blood, had made rapine and bloodshed necessary to any part of his creation. Light soon broke in upon his mind. His suspicions were confirmed by daily information, and the evidence he had now to offer upon this point was decisive and complete. The principle upon which he founded the necessity of the act was not indeed policy but justice; but though justice were the principle of the measure, he would pledge himself to prove it reconcileable with our truest political interest. From an induction of authentic facts, he shewed that the number of slaves had rapidly increased by natural means on those plantations—and many such he enumerated—where they had been treated on a plan of lenity and humanity; and that the enormous annual importation from Africa was rendered necessary merely by the prevalence of that system of cruelty and oppression which the abolition of the slave-trade must eventually subvert. But it was urged, that the interest of the masters would induce them, in the usual course of things, to treat their slaves with kindness and humanity. Mr. Wilberforce appealed to universal experience for the fallacy of this argument. It was certainly the true and ultimate interest of the planters to adopt the system of lenity. But they consulted their apparent and immediate interest in imposing rigorous tasks, and in circumscribing within the narrowest

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limits their miserable allotments of food, of clothing, and of repose. To assert that men will of course act as their interest under the guidance of reason would dictate, is in effect to pronounce all men upright and virtuous; for virtue is the path to genuine happiness. But are not mankind enveloped in the mists of ignorance, of folly, and of passion? Was it not the grand and perpetual object of religion, of morality, and of all just and beneficent legislation, to enlighten the human mind, and to assist men in discerning their true interest; to warn them of the danger of departing from it, of being deceived by false and flattering suggestions,—in a word, to incite them, though too oft in vain, to the practice of what is right, and to deter them from the commission of that which is wrong, by motives the most powerful, by sanctions the most sacred?"—Mr. Wilberforce concluded a long and excellent speech, equally addressed to the understanding and feelings of the house, and which produced a most sensible and powerful effect, by moving, not, as was generally expected, a general vote of censure and reprobation, which would have imposed an obligation on the house to have proceeded to strong and decisive measures, but an elaborate and tedious series of complex and somewhat dubious propositions, twelve in number, specifying the number of slaves imported from Africa into the British West Indies; the different

descriptions of persons included in this aggregate number; the injury sustained by the seamen employed in the African trade; the causes of the mortality of the negroes; and the different *items* of calculation respecting the increase of population in Jamaica and Barbadoes; and they concluded with declaring coldly, that no considerable or permanent inconvenience would result from discontinuing the farther importation.

Upon these propositions, Mr. Wilberforce said he did not mean to urge the house to come to any immediate vote. This afforded ample scope on the part of the anti-abolitionists, lord Penryn, lord Maitland, &c. &c., and they eagerly embraced the opportunity to create new difficulty and delay. Mr. Wilberforce declaring that he relied on the evidence contained in the report of the privy-council, they insisted that the merchants and planters interested in this business were entitled to be heard by counsel.

Mr. Pitt observed with some degree of indignation, and as a very extraordinary circumstance, that the report had lain many weeks on the table, and no argument against its sufficiency had been heard of, till the moment was arrived that the house was expected to come to an ultimate vote on the subject. At length, however, he conceded, with the too easy consent of Mr. Wilberforce, to the examination of witnesses on the part of the

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slave-merchants and planters—vainly and credulously "trusting that unnecessary delays would not be introduced, as he could by no means submit to the ultimate procrastination of so important a business." Lord Penryn in the course of the debate asserting, that, to his knowledge, the planters were willing to assent to any *regulation* of the trade, short of its abolition, Mr. Fox, with glowing eloquence, declared, "that he knew of no such thing as a regulation of robbery and restriction of murder. There was no medium; the legislature must either abolish the trade, or plead guilty to all the iniquity with which it was attended. This was a traffic which no government could authorize, without participation in the infamy." Evidence being heard at the bar of the house for several successive weeks, it was at length, on the 23d of June, moved by Mr. Alderman Newnham, "that the farther consideration of the subject be deferred to the next session."

One of the most able and zealous associates of Mr. Wilberforce in this business, from the commencement of it, was Mr. William Smith, member for Sudbury, whose character in respect of honor, probity, and understanding, had perhaps no superior within or without the walls of that house. Upon this occasion Mr. Smith expressed his anxiety, "that the question should be brought to a speedy issue, He had not heard any good

reason why the examination of witnesses might not be carried on for some weeks longer. It was known that the hearing of evidence was at all times thinly attended. If therefore the few members that did attend were willing to give up their time a little longer, why should other members complain of an inconvenience, in the suffering of which they took no share?" The question, however, was carried without a division, and the temporary Regulation Act of sir William Dolben was renewed for another year.

It is worthy of transient remark, that Mr. Wilberforce, Mr. Smith, and sir William Dolben, all of whom had conspicuously distinguished themselves in the progress of this business, were of religious persuasions very dissimilar—Mr. Wilberforce being a favorer of the doctrines of methodism, Mr. Smith an avowed dissenter, and sir William Dolben, an high-churchman. But on this great question, which involved in it the general interests of mankind, all subordinate differences vanished, and it sufficed to every valuable purpose, that they were all of the exalted and universal religion of HUMANITY.

Never indeed was there a question like this calculated so powerfully to engage and interest every generous and benevolent emotion of the heart. Even the advocates of this horrid traffic are not so universally and completely brutalized as not to

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feel at times some transient emotions of pity at the sufferings they wish to perpetuate. "Amidst the pauses (says a certain vindicator of the African slave-trade) which the delay of cares so constantly occasions, at the setting in of the rains, there is something extremely affecting in observing some poor afflicted mourner pouring out her complaints in sighs and tears, while the thoughts of her distant country, her connections, and her friends, at once rush upon her mind. For amongst this class are many who have their feelings as exquisitely alive to the melting impressions of tenderness and sorrow as those who are distinguished by a better fortune.—Despair has cut off more people in the West Indies than plagues or famine.—Their principal festivals are at their burials: I never knew a negro who considered death as an evil, who either dreaded it by anticipation, or who was apprehensive when it was hovering near."*

* Beckford's History of Jamaica.

In the beautiful poetic epistle addressed to Mr. Wilberforce by the celebrated Mrs. Barbauld, on the subject of the Slave-Trade, are to be found the following picturesque and animated lines, descriptive of the miseries entailed on the natives of Africa by this horrid traffic:

Nor in their palmy walks and spicy groves
The form benign of rural pleasure roves;
No milk-maid's song, or hum of village talk,
Soothes the lone poet in his evening walk;
No willing arm the flail unwearied plies,
Where the mix'd sounds of cheerful labor rise;

The trial of Mr. Hastings was resumed early in the session, and the third article, respecting presents illegally and corruptly received by Mr. Hastings, brought forward by Mr. Burke. In his opening speech in support of this charge, in which the fatal business of Nundcomar stood most conspicuous, Mr. Burke made use of the following indiscreet expression: "that man Mr. Hastings MURDERED by the hands of sir Elijah Impey." This afforded a ground of petition from Mr. Hastings, that this allegation should be prosecuted in specific articles, or that the house should grant him such redress as to them should seem meet." After a long debate, the house of commons resolved, "that no authority had been given by the house for the purpose of making any criminal charge respecting the death of Nundcomar, and that the words complained of ought not to have

Trial of Mr. Hastings resumed.

Indiscretion of Mr. Burke.

No blooming maids and frolic swains are seen
To pay gay homage to their harvest queen.
No heart-expanding scenes their eyes must prove,
Of thriving industry and faithful love:
But shrieks and yells disturb the balmy air
Dum sullen looks of woe announce despair,
And angry eyes thro' dusky features glare.
Friends of the friendless—Hail, ye generous band!
Whose efforts yet arrest Heaven's lifted hand;
Around whose steady brows, in union bright,
The Civic wreath and Christian's palm unite;
Your merit stands—no greater and no less
Without or with the varnish of success.

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been spoken." With this sort of reparation, though not absolutely amounting to an affirmation of innocence, Mr. Hastings was compelled to rest satisfied. By this time it began to be evident that the house of lords were very little disposed to give their countenance to the impeachment—all questions of reference being invariably determined in favor of the delinquent. On the 21st of May, 1789, the lord-chancellor informed the managers, that their lordships were of opinion that it was not competent for them to produce the examination of Nundcomar, taken by the majority of the council in the absence of Mr. Hastings, as evidence positive or presumptive in support of the charge of bribery and corruption.—Mr. Fox, in reply, said, "that the examination of Nundcomar was offered by the managers as it afforded, when taken in connection with the demeanour of Mr. Hastings on that occasion, the strongest presumption of guilt. Mr. Hastings not only made no reply to the accusation, but endeavoured by violent measures to prevent it. Mr. Hastings's absence had been voluntary and contumacious. Shall he be protected from punishment, because he fled from evidence? or shall Mr. Hastings be allowed to plead his own criminal omission as a legal defence of his own criminal commission? If evidence such as was now offered should be rejected, it would be in effect to proclaim, as it were by sound of trumpet, that

bribery and corruption were let loose in India; and henceforth every delinquent, whatever degree of indignation his crimes might excite, might rest assured that no prosecution could possibly terminate in conviction. If Mr. Hastings was thus permitted to sacrifice his honor to his safety, he might look forward with confidence to an ultimate acquittal, accompanied with the contempt and detestation of all good men. The managers did not however conceive that the proceedings of the high court of parliament were to be regulated by the practice of the inferior court, but by the 'lex et consuetudo parliamenti'—the rules of substantial justice. It was the peculiar excellence of the law of England that it knew its own strength and its own weakness; and therefore, when the common forms of law were too weak to bring a powerful delinquent to justice, the high inquisitorial power of parliament was resorted to: but if it should appear that the common law, acknowledged inadequate, was to be adopted by that high tribunal in all its technical forms, proof would inevitably fail, the honor of the nation would be sacrificed, the great end of government, the happiness of the community, would be abandoned, and the sword of public justice would be wielded in vain."

Mr. Grenville, speaker of the house of commons, being advanced, upon the resignation of lord Sydney, to the office of secretary of state, and

Mr. Addington chosen speaker.

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in the sequel to a peerage, was succeeded, after sitting in the chair of the house scarcely six months, by Henry Addington, esq. The new speaker soon acquired great reputation for dignity, integrity, and impartiality, in the discharge of his office; and he is, by the united voice of contending factions, allowed to rank amongst the ablest of those who have occupied that high and difficult station.

In providing the supplies of the year, Mr. Pitt was obliged to acknowledge the necessity of borrowing the sum of one million, contrary to his own prediction, that no loan would be wanted. This necessity, however, did not arise from the unproductiveness of the taxes, which rose even higher than the previous estimate of the minister, but from extraordinary and unforeseen causes, the principal of which were the sums voted for the liquidation of the arrear of the civil list, and of the debt of the prince of Wales, and the expence of the late armament: so that the general prospect of future and permanent prosperity remained wholly unimpaired; and the minister acquired, from the present state of commerce and of the public funds and revenues, great and just increase of reputation.

Tobacco excise bill.

An important operation of finance took place in the course of the session, in exchange of the heavy duties on tobacco from the customs to the excise. This was effected with general approbation, and great advantage to the public. It is a circumstance

well worthy of observation, as characteristic of the caprice and inconstancy of the public opinion, that this measure, which had nearly cost sir Robert Walpole his place, and even endangered his life—and against which 200 members of the house of commons divided on the original motion of the minister, and which he was finally compelled to relinquish—was now opposed on the third reading of the bill by 20 voices only, in a thin and deserted house of 90 members.

The session was terminated August 11, 1789, by a speech from the lord-chancellor in the name of the sovereign; in which it was observed, "that although the good offices of the king and his allies had not been effectual for the restoration of the general tranquillity, the situation of affairs promised to this country the uninterrupted enjoyment of the blessings of peace." This was an assurance highly and peculiarly grateful, in consequence of the recent events which had taken place in the different kingdoms of Europe. A war had been kindled, which gradually diffused itself from the Euxine to the Baltic—from the arid wastes of Tartary to the snow-clad mountains of Norway; and the foundations of a great and stupendous revolution had been laid, which, almost instantly expanding itself into gigantic growth, became the subject of terror, no less than of astonishment, to the surrounding nations.

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State of Europe.

Character of the emperor Joseph II.

Never was Europe more deceived than in the idea she had originally formed of the character of the emperor Joseph II. upon whom, on his first entrance into the grand scenes of public life, all eyes were fixed, and under whose specious exterior the credulous enthusiasm of hope had discovered all the qualities of a legislator and a hero: and he was confidently announced as the monarch destined to throw the splendid reputation of Frederic the Great into shade. Time however soon dispelled these false and flattering prepossessions; and he was perceived to be equally destitute of the talents and the virtues necessary to the formation of a great and illustrious character. Burning with an insatiable thirst for GLORY, that Moloch of princes, at whose bloody shrine millions of human victims have been offered, his mind seemed eternally harassed and haunted with the enquiry, "What shall I do to be for ever known?" While that justly celebrated statesman the prince de Kaunitz retained his influence over the councils of the court of Vienna, a veil was cast over the vices and defects of the sovereign. But as he advanced in life, and began to act upon his own ideas, and in reliance upon his own judgment, his vanity, his versatility, his rapacity, his rashness, and his folly, became apparent to all. Disappointed in his recent and favorite schemes of ambition, his evil genius now suggested another project still more absurd and impracticable than the former.

Since the famous Treaty of Westphalia, by which the independency of Holland had been recognized by Spain, that haughty power, sensible of the erroneous policy which had lost so valuable a possession, adopted, with relation to the provinces which yet remained, a mild and lenient system of government. On the transfer of the Low Countries to the house of Austria by the Treaty of Utrecht, the same equitable treatment was observed; and that no less under the weak and oppressive reign of Charles VI. than the auspicious and benign government of his daughter, the celebrated Maria Theresa. During all the vicissitudes of politics and of power, the Austrian Netherlands continued to flourish under the protection of their own just laws, and the limitations of their free and happy constitution. Of the provinces subject to Austria, by far the most considerable and extensive is Brabant; and although the forms of government established in the different states bear a close analogy to each other, the constitution of Brabant is regarded as the best defined and most perfect. Like the constitution of England, it is compounded of three estates; and the executive authority is vested in the sovereign, who bears the title of Duke of Brabant. The legislative power, including the important prerogative of levying taxes, resides in the states of Brabant, which is in part an elective and representative assembly, though

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not constructed on a very popular plan. The jurisdiction of civil and criminal causes is in the cities consigned to the magistrates, under various equitable restrictions. In the villages it nominally appertains to the lords of the manors or baronies; but it is in fact exercised by respectable persons, chosen for the most part by the inhabitants themselves, from whose decision an appeal lies to the baronial courts. The supreme tribunal of justice is established at Brussels, and it is distinguished by the appellation of the Council of Brabant. Its functions are not, however, merely judicial. It is also a council of state, and participates largely in the executive power—for no act of the sovereign is valid till confirmed by the council under the great seal of Brabant. These and many other privileges were, after long and fierce contentions, guarantied for ever to the people of Brabant, by a charter granted by one of the antient dukes, and which, from the triumphal procession of the prince into his capital, on the original execution of it, is denominated the JOYEUSE ENTREE.

The acuteness of philosophical and political theorists would no doubt detect with ease the gross defects of this rude and artless sketch of a free constitution. But its general and essential excellence is sufficiently demonstrated by the prosperous state of the country, and the passionate attachment of the people to their established form of

government. This free form of government Joseph the Second had, from deliberate malice, or, more candidly speaking, from excess of presumption and folly, determined to subvert and destroy. On the first of January, 1787, two imperial edicts were issued, formally suppressing the antient institutions, and even the Great Council of Brabant; establishing in their stead a new council of general government, assisted by tribunals erected on the severe and arbitrary model of those actually existing under the proper Austrian government. As if this were not enough to rouse the spirit of resistance in the nation, the emperor, careful to heighten the enthusiasm of civil liberty with the rage of religious bigotry, annihilated at the same time the charter of the university of Louvain, and established a new general seminary for the study of theology—the professors to be nominated by the sole authority of the emperor. A violent and universal commotion instantly took place; and the states of Brabant, Flanders, and Hainault, assembling, forbade the people in express terms to pay any regard to the late edicts. All ranks of men enrolled themselves in military associations for their common defence. Deputies were dispatched to Vienna to represent their grievances, and to remonstrate with the emperor in person against these atrocious and unprecedented violations of their rights. Agreeably to the irresolute

—His tyrannical innovations in Brabant.

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and inconsistent policy of the emperor, the deputies, notwithstanding his previous menaces of vengeance, were most graciously received at the imperial court. The sovereign professed himself well-disposed to restore their antient privileges as contained in the *Joyeuse Entrée*, and intimated an intention of visiting the Netherlands, to take measures with the states for the welfare of the people. In the mean time count Murray, the Austrian governor, published a proclamation, completely revoking the late proceedings, and re-establishing the antient government. Happily for the people of Flanders, the capricious politics of the emperor had by this time directed their views to a distant and opposite quarter. The advantages acquired by Russia, in consequence of the treaty of 1784, excited the chagrin and envy of that monarch; and the Turkish empire at this period presenting an easy and inviting prospect of conquest, a negotiation was set on foot with this view between the two imperial courts; and in the spring of 1787 a conference took place between the czarina and the emperor at the new capital of Cherson, whither the empress of the Russias had with great pomp and splendor repaired, in order to her inauguration as sovereign of the Taurica. Scarcely did she deign to affect concealment of her hostile intentions; and over one of the gates of the city she caused to be inscribed, "This is the gate which leads to BYZANTIUM."

1788.

War between Russia and Turkey.

The Ottoman Porte, fully apprised of the machinations of the imperial courts, took a hasty resolution, notwithstanding her own extreme unpreparedness for commencing offensive operations, to publish an immediate declaration of war against Russia—in the hope probably of being able to conciliate the emperor before his plan of hostility was fully matured. This however was a vain expectation; the emperor ordering, after a very short interval, a memorial to be delivered by his ambassador at Constantinople, stating, "that he was compelled by treaty to assist his ally the czarina with 80,000 men; and if this should be considered by the Porte as an act of hostility, he was prepared for every event." Not waiting the answer, he made, on the 2d of December 1787, a most perfidious attempt to surprise the fortress of Belgrade. Being disappointed in this enterprise, he thought proper to offer an apology for his conduct, which only served by its futility to demonstrate the weakness of the government which condescended to accept it.

War between the imperial and Ottoman courts.

The imperial manifesto, containing a formal declaration of war, at length appeared, February 1788. Contrary to the antient barbarous practice, the ambassadors of both the imperial courts were suffered to depart from Constantinople without molestation. The answer to the Austrian declaration, in a calm and dignified manner, reproaches

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the emperor with "wantonly violating a peace of fifty years' continuance, without being able to allege injury or pretext. Numerous instances are adduced, in which, for the preservation of peace, the Sublime Porte had complied with unreasonable requisitions: and they justly observe, that they had never upon any occasion taken advantage of the embarrassments of the house of Austria, but had always acted with a liberality and good faith ill requited in the present instance."

The operations of the Germans were in the commencement of the war far from successful. Little impression could be made upon the Turkish frontier; and no sooner had the grand-vizier taken the command of the army, than the Turks became the assailants; and the emperor, who commanded in person, after suffering repeated losses, was compelled to a precipitate and disgraceful retreat, leaving the Bannat and the Lower Hungary to the mercy of the enemy. On the western side, however, where the famous mareschal Laudohn commanded, the towns of Dubitza and Novi were reduced, after a vigorous defence. On the eastern quarter, the city of Choczim surrendered, September 29th, to the united arms of Russia and Austria. And before the end of the year, the important fortress of Oczakow, after sustaining a siege of several months, was carried by storm; the Russians marching to the assault over the frozen snow,

with which the trenches were filled. A decisive superiority in the Black Sea was also obtained by the repeated victories gained on the part of the Russians by the prince of Nassau over the famous Turkish admiral Hassan Pacha.

Troubles in the north.

Rupture between Sweden and Russia.

In the mean time the king of Sweden, actuated by that spirit of unprincipled ambition, so usually the characteristic of princes as to be deemed scarcely the object of censure, and prompted likewise by the king of Prussia, and the powers in alliance with the court of Berlin and inimical to Russia,* entered suddenly, at the head of a considerable army,

* The politics of the court of London, at this juncture, are thus described by the Count de Segur, ambassador of France at the court of Berlin. "England, in concert with Prussia, inflaming the courage of the Turks, exciting the hopes of Poland, instigating the ambition of the court of Sweden, fomenting the troubles of Brabant, deceiving the probity of Spain, and supporting the stadtholder's pretensions against the states of Holland, made all Europe in a short time an immense field of intrigues, of discord, and of carnage." In vain, as the same historian observes of the king of Sweden, had the great Frederic his uncle in complimenting him upon the revolution which had increased his authority, recommended to him to be pacific, and warned him that since there were now four monarchies in Europe, each of which could assemble 400,000 soldiers, a king of Sweden with an army of 25,000 men ought no longer to entertain the hope of playing a great part in Europe. Gustavus had frequently said that a war was necessary in order to characterise a reign: and not contented with repose, he desired at all events to be a conqueror.

Memoirs of Frederic William II. vol. I. p. 62.

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the territory of Russian Finland, whence the idea of passing by a direct and rapid march to Petersburgh seemed not wholly chimerical. But a subject of bitter chagrin awaited him in the absolute and pertinacious refusal of his officers to engage in offensive war, on the patriotic ground, or perhaps the traitorous pretext, that the king had not, agreeably to the provisions of the constitution of 1772, obtained the previous consent of the states.

The court of St. Petersburgh, on the first intimation of the attack from Sweden, had called for the aid and assistance of Denmark, conformably to the terms of the treaty of alliance subsisting between the two courts. Denmark had been for some years past under the administration of the prince royal, whose knowledge and prudence, far exceeding the immaturity of his age, were the happy result of a good natural understanding, improved to the utmost by an excellent and admirable education. The prince regent, on his accession to power, had restored the former ministers of the Danish court, displaced by Struensee, to their offices, amongst whom was the count de Bernstorf, whose wisdom and firmness have in the course of events been rendered very conspicuous. On the present occasion, the court of Copenhagen entered entirely into the views of the czarina; and in the month of September, 1788, a large body of Danish troops, commanded by prince Charles of Hesse

Cassel, accompanied by the prince of Denmark in person, passing over to Norway, were joined by a strong reinforcement of Norwegians—a simple and generous people, maintaining amidst their rocks the purity of their antient manners, and the sacredness of their antient rights, in no respect degenerating from the virtue or the valor which had rendered them famous in the times of Margaret of Waldemar. The combined forces suddenly and unexpectedly entered the Swedish province of Wermlandia, and advanced to the city of Gottenburgh with trivial opposition. Alarmed at this formidable invasion, the king of Sweden repaired in person, with expedition almost incredible, to the defence of this important place, which, being attacked thus unprepared, seemed very unable to resist the force of the Danes. But at this critical moment the courts of London and Berlin interposed their powerful mediation in favor of Sweden. Early in October, Mr. Hugh Elliott, envoy at Copenhagen, addressed himself first by letter and afterwards personally to the prince regent, requiring him, in the name of the allied courts, to consent to an immediate cessation of hostilities. "War," said the ambassador, "is perhaps at this very moment declared with Denmark by Prussia and England. But if your highness will consent to what I propose, I will immediately dispatch couriers to stop, if possible, the invasion of a Prussian

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army in Holstein, and the sailing of the British fleet." Under these circumstances the resolution of the prince was soon taken, and a suspension of arms signed on the part of Denmark, October 9, 1788, which, after an interval of delay, was converted into a treaty of neutrality.

Death of the grand-signor Achmet IV. and accession of the sultan Selim III.

The beginning of the following year, which was the 1202d of the Hegira,* was signalized by the death of the grand-signor, Achmet IV. a prince

* The flight of Mahommed from Mecca to Medina was eighteen years afterwards established by the caliph Omar, as an epoch to which the dates of all the transactions of the faithful should have reference. The year of the Mahommedans consists of 12 lunar months, each containing 29 days, 12 hours, and 792 scruples—1080 scruples making an hour. So that the year contains 354 days, 8 hours, and 864 scruples. In order to reduce this year to an integral number of days, a cycle of 30 was chosen as the most convenient period, because 30 times 8 hours and 864 scruples precisely constitute 11 days; and in this cycle there are consequently 19 years of 354 days, and 11 of 355. The intercalary days are added at the end of the 2d, 5th, 7th, 10th, 13th, 16th, 18th, 21st, 24th, 26th, and 29th years of the cycle. The commencement of each year of the Hegira can never fall on the same day of the month, as is the case in our calendar, but will anticipate about 11 days. The first year of the Hegira began Ann. Dom. 622, July 16. The 1201st year of the Hegira, which is the first of the cycle, began Ann. Dom. 1787, October 24. The precision with which the Mahommedans in 622 fixed the lunar month is remarkable; 29 days, 12 hours, 792 scruples, being, according to the most accurate modern observations, only 3″ 2‴ too little.

Vide *Philosoph. Trans.* A. D. 1788.

apparently of good understanding and of beneficent and upright intentions, but whose talents were totally inadequate to the mighty task of restoring the declining empire of the Ottomans to its pristine prosperity and greatness. He was succeeded by his nephew, Selim III., son of the late emperor Mustapha, whose first act of authority consisted in the deposition and consequent death of the grand-vizier, Jussuph Pacha, who had conducted the operations of the last campaign with singular ability and personal success. The real crime of the vizier, for the accusations of his enemies were evidently calumnious, was his immense wealth, which, to the amount of a million sterling, was confiscated to the use of the sultan. Such was the barbarous and wretched policy of this young prince, who quickly and in every part of his conduct shewed himself grossly deficient both in the virtues and talents which are requisite to the arduous task of government.

The emperor, sinking under the pressure of disease and disappointment, had retired to Vienna; and the renowned mareschal Laudohn being appointed to the chief command, the operations of the war were renewed with consummate skill and wonderful increase of vigor. After the reduction of Gradisca, this veteran hero proceeded to form the siege of Belgrade; and on the 8th of October, 1789, that important city, the bulwark of the Ot-

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toman empire, surrendered on terms of honorable capitulation. The remainder of the campaign presented a series of the most rapid successes. Cladova, Semendria, Czernitz, &c. followed the example of Belgrade. Orsova only attempted a serious resistance, and it was not reduced till after a long investment and blockade. On the eastern side, the prince of Cobourg, general of the Austrian army in Walachia, after gaining a considerable advantage in an action fought near Foczan, attacked, in conjunction with the Russian general Suwarrow, with a very inferior force, September 22, 1789, the army of the new grand-vizier, Hassan Pacha, a rash and ignorant commander, at Martinesti, and gained a complete victory. This was attended with the immediate capture of Bucharest, the capital of Walachia, and the almost entire reduction of the country north of the Danube. In the mean time, Bielgorod on the Black Sea, and the city of Bender on the Tartarian frontier, surrendered to the arms of Russia, now conducted by prince Potemkin.

During this campaign the war in the North was carried on little to the advantage of Sweden: for although the king of Sweden had entirely re-established his authority, and taken a severe vengeance on the individuals who by their audacious and inflexible contumacy had arrested the progress of his arms, he could not so easily regain the advantages

he had lost by that unexpected and unseasonable opposition. The immense power of Russia was now fully exerted. Sweden was reduced to act upon the defensive in Finland; and various naval encounters took place, in which the bravery and superior skill of the Swedes did by no means compensate for the Russian superiority of force.

Triumphs of the Russian and Austrian arms.

In the ensuing campaign of 1790, the triumphs of the Russian arms over the Ottomans continued without any considerable interruption. The progress of these barbarous conquerors had been throughout marked with blood and desolation; but the capture, under general Suwarrow, of the city of Ismail, taken by storm December the 22d, 1790, exceeded in horror every action of the present war, and may vie with that of any preceding one. The garrison, consisting of the flower of the Turkish army, was massacred in cold blood, and the inhabitants indiscriminately given up to the worse than brutal licentiousness of an enraged soldiery. The military successes of the Austrians, under the heroic Laudohn, served only to incite the faithless and perfidious Joseph to renew his attempts against his subjects of Flanders and Brabant. Count Murray, distinguished by his lenity of temper, was succeeded in the government by count Trautmansdorff; and the military placed under the command of general Dalton, an officer of approved skill, but of unrelenting and savage

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ferocity. The new system commenced with the revival of the former attempt against the university of Louvain. This being resolutely resisted, the rector and professors were expelled by the point of the bayonet, August 1788, and many lives lost by the indiscriminate firing of the soldiery. Similar outrages and excesses taking place at Antwerp, Mechlin, &c. in consequence of the orders issued by the government; and military law, enforced by military execution, being in a manner proclaimed through the provinces; a prodigious emigration of the principal inhabitants immediately succeeded. The emigrants being favored and protected by the Dutch government, now under the influence of England and Prussia, assembled in numerous bodies on the frontier: at length, in the autumn of 1789, they entered Austrian Flanders in great force, and in a very short space of time over-ran the whole country, a few fortresses excepted, the Austrians flying before them with the most disgraceful precipitation. The emperor now once more offered, in the most flattering and conciliatory language, to restore to them their antient constitution, and even to endow them with additional privileges; but his overtures were rejected with scorn. The states of Brabant assembling at Brussels, December the 22d, 1789, in concert with the deputies of the other provinces, formally disclaimed allegiance to the emperor, and

proceeded to the appointment of an administration. General Vandermersch, distinguished for his patriotism and bravery, was nominated to the command of the troops. M. Vandernoodt was declared prime-minister, and M. Van-Eupen secretary of state. In the month of January, 1790, the plan of a federal constitution was formed by the Belgic States—such was the appellation they now assumed, nearly similar to that of the United Provinces. Unfortunately, however, it soon appeared that the leaders of the revolt, either little understanding or little regarding the essential rights of the people, had merely changed the imperial despotism to an aristocratical tyranny. The Catholic religion was established in its most intolerant form, the power of arbitrary imprisonment was assumed, the liberty of the press disallowed, and the immunities of the privileged orders confirmed and even extended.

Death of the emperor Joseph II.

In the midst of these transactions, and while the insurgents were at the height of their successes, died, February 1790, the emperor Joseph. He was succeeded in his hereditary dominions by his brother Leopold, grand duke of Tuscany, and who now took upon him the style and title of king of Hungary. This prince, as the sovereign of a small state, had acquired the reputation of moderation, and even sagacity. But in proportion to the elevation of his situation his faults be-

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came more conspicuous, while his excellences either wholly disappeared, or were henceforth very dimly seen.

Alarming commotions in France.

Interesting as the transactions now related appeared in the view of Europe, they nevertheless yielded both in importance and singularity to the events which were at the same time taking place in the kingdom of France. In the west, in the bosom of an antient monarchy, at the foot of a majestic throne, in the midst of an immense and corrupted city, was heard on a sudden the word LIBERTY; and at the cry every noble, and every base passion was enflamed. The appointment of the archbishop of Toulouse, as successor to M. de Calonne, proved the source of equal disappointment to the court and to the nation. On his elevation to the post of minister, his patriotism seemed to vanish; and, by losing the confidence of the people, he deprived himself of the power of being serviceable to the monarch. The project of the court to obtain the sanction of the Assembly of Notables to the measures in contemplation had proved wholly abortive; recourse must now again therefore be had to the Parliament of Paris; and on the 12th of June, 1787, an edict was sent to that body for enregistry, imposing a heavy duty on stamps. Instead of a loyal and dutiful compliance, the parliament demanded the communication of such documents as should enable them to judge of the necessity of introducing new taxes.

That this was a just claim, they said, the very expression of *verifying* the royal edicts implied. The refusal of this demand produced a refusal on their part to enregister the edict; and after violent debates and repeated efforts of the patriotic party in parliament, it was at length voted that a national assembly would be necessary previous to the imposition of a new tax, and a resolution at the same time passed to supplicate the sovereign to assemble the STATES GENERAL of the kingdom. In the remonstrance presented on this occasion by parliament to the throne, the stamp duty is pronounced more dangerous than even the exploded *gabelle*; and they remark "that after five years of peace, after an augmentation of the revenue during the present reign of five millions sterling, it was scarcely to have been expected that the name of TAX should have been pronounced by a beneficent sovereign, but for the purpose of alleviating the burdens of the people." The answer of the king was peremptory and haughty. Far from conceding to the wishes and prayers of the parliament, he rose still higher in his demands. Reserving to a future day the declaration of his intentions respecting the stamp-tax, he transmitted to them a new edict of far greater importance, for commuting the existing *vingtièmes* into a regular and equal land-tax, "which, from the zeal and loyalty of his parliament, (his majesty was pleased

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to say) he expected them immediately to register." The parliament, assuming more intrepidity as the danger became more imminent, summoned the peers of France on the following day, as was usual in great emergencies, to assist in their deliberations; and it was voted in full assembly, that the parliament persisted in their resolution, and renewed their supplication to the sovereign to assemble the States General of the kingdom.

Before the second address could be presented, a royal message was delivered, announcing the intention of the king to hold a bed of justice. The parliament, immediately re-assembling, came to several resolutions expressive of their determined resistance. The bed of justice was nevertheless held: and in defiance of the resolutions read by the first president, M. d'Aligre, the edicts were forcibly enregistered. These proceedings, contemptuously described as "the empty form of collecting by the keeper of the seals the opinions of the assembly, where no one could give a vote," were at the subsequent meeting of parliament declared null and void, and expunged from their records. This resolute opposition of the parliament produced a wonderful effect on the already highly agitated state of the public mind. Such were the apprehensions entertained by the government of the general spirit which pervaded the mass of the people, that great numbers of the military

were assembled at Paris, and the members of the courts of justice were obliged to pass to their sittings through armed ranks of soldiers with bayonets fixed.

The government of France plainly appeared at this moment to be a government resting merely on the precarious basis of military force, without possessing, as a collateral security, a single particle of the esteem, confidence, or affection, of the nation. On the 15th of August, 1787, *lettres de cachet* were issued against the parliament of Paris, transferring their sittings to Troyes, in Champagne, one hundred miles from the capital. Previous to their exile they passed an animated resolve, "That the French monarchy would be reduced to a state of despotism, if ministers, abusing the authority of the king, might dispose of men's persons by *lettres de cachet*, of their property by beds of justice, of causes civil and criminal by annullings and evocations, and suspend the course of justice by particular exiles and arbitrary translations." All France seemed to interest itself in the disgrace of the parliament. The flame of opposition and disaffection increased every moment. Almost all the public bodies in the kingdom joined in petitioning the throne, not in an humble and submissive, but in a bold and peremptory tone, for the recall of that assembly, and the convocation of the States General. The parliament of Grenoble declared "the

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rights of property to be equally sacred, and secured by the same laws, as the right of the king to the throne;" and the parliament of Besançon, in reprobating the emission of the *lettres de cachet*, scrupled not to affirm "that the Parisian magistrates ought to have yielded no sort of obedience to them."

France at this time was manifestly ripe for some extraordinary political convulsion. "Whilst the lower class (to adopt the emphatic language of M. Bouillé) experienced the extreme of misery, the rich indulged themselves in the most unbounded luxury. The government was without energy, the court despised, and the great were sunk into a state of degradation. Irreligion and immorality were diffused amongst the first orders,—restlessness and discontent amongst all. The treasury was exhausted, public credit ruined, and all the ordinary resources at an end. Louis XVI. possessed all the virtues of private life, but none of the talents necessary for a man in a situation so difficult."*

Too truly might the noble writer, while contemplating this melancholy and alarming situation of things, exclaim, in the energetic language of the Roman historian—"Ad hæc tempora quibus nec vitia nostra, nec remedia pati, possumus, perventum est."†

* Mémoires de M. Bouillé. † Livy.

The celebrated M. Beaumarchais, in a lighter strain, insinuates how dangerous it was in this monstrous state of things even to speak of the existing abuses of this depraved and detested government. "I was told (says Figaro on the subject of writing a book) if I took care to say nothing on politics, nothing of morals, of government, of the clergy, of persons in power, and then submitted my work to the inspection of the keeper of the seals and obtained an approbation and privilege, I might, after using these precautions, write with the most perfect freedom."

The new minister, justly alarmed at the novelty of his situation, wavering, hesitating, and trembling for his safety, advised the monarch, in his answer to the address of the Court of Aids, September 2, to signify his intention for the present to suspend the execution of the obnoxious edicts; and on the 19th of that month letters of revocation were issued, and the parliament was permitted to resume its functions. The first measure of the executive government subsequent to this event, a measure highly consonant to the predominant spirit of liberty in the nation, was the promulgation of an edict for the toleration of the non-catholics, nearly similar to the famous edict of Nantz, repealed in the last century. This popular law was registered by the parliament without difficulty; but with respect to the financial projects of the

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government they continued as refractory as ever. The plan now proposed by the minister was that of a series of loans, amounting in the aggregate to about eighteen millions sterling, for five successive years, at the end of which term he engaged the honor of the sovereign that the States General should be convoked. This offer was treated with contempt. To promise a convocation of the States General when the deficiency of the finances should be filled up was said to amount to a promise to call them together when they would no longer be wanted. The embarrassments of the minister hourly accumulated. The expedient of a bed of justice had been tried with very ill success. It was now, therefore, resolved to hold a *séance royale*, in which the measure should be debated in the king's presence, previous to the enregistry, as a milder and more equitable mode of proceeding. Upon this occasion M. Lamoignon, keeper of the seals, by the command of his majesty, stated to the parliament, in an eloquent and *instructive* oration, the established and unalterable principles of the French monarchy. "To the king alone belonged the sovereign power, and to GOD only was he accountable for its exercise. To the king belonged the power of convoking the states; he alone could judge of their utility and necessity, and he was the sole arbiter of the grievances and complaints of his subjects. He ventured to assert, that the wish now

generally entertained of calling together the States General had ORIGINATED with the king, whose zeal for the public good perpetually outran the desires of his people. He therefore rebuked the parliament for the disrespectful importunity with which they had solicited this measure; and he declared the establishment of provincial assemblies, on the plan devised by the late minister, to be fraught with more solid advantages to the community at large." The sitting continued seven hours. The debates of the parliament, notwithstanding the presence of the sovereign, were conducted not only with freedom, but with violence and asperity. It was affirmed by one member, l'abbé Sabatier, "that the only difference between a bed of justice and a *séance royale* was, that one had all the frankness of despotism, and the other all its hypocrisy." And M. Freteau, speaking of the recent accommodation between England and France on the subject of Holland, said, "it was a proceeding at which Louis XIV. would have blushed." At length the king rose and declared, "that, having heard the sentiments of the assembly, he persisted in his opinion; he therefore directed the edict of the successive loans to be immediately registered." On this the duke of Orléans, first prince of the blood, who aspired to the distinction of head of the popular party, declared to the king, "that he regarded this measure as illegal." The king having retired in

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anger, the duke formally recorded his dissent, and the parliament passed a resolution abjuring every sort of concern in the enregistry that had then taken place. On the following day the duke of Orléans and Messrs. Sabatier and Freteau were sent into exile—the former to his chateau in the country, the two latter to imprisonment in distant parts of the kingdom; and by express command of the king, the resolution of parliament was erased from their records.

The famous remonstrance of the parliament on these violent proceedings, presented to the king March 1788, after several previous ineffectual ones, was fraught with the most glowing and energetic sentiments of liberty. They declare, "That the laws of nature and of the constitution shall never reproach them for preserving, in such a crisis, a shameful inactivity, or a guilty silence—Liberty is declared by them to be an imprescriptible right, and justice an universal duty, anterior to the laws, and equally obligatory on the monarch and the subject. The practice of *lettres de cachet* overturns this system—Justice thereby becomes a mere illusion, and liberty an empty name. Where no personal security exists, public safety is but an imaginary bliss; and where the practice of *lettres de cachet* subsists, personal security cannot exist. Could your majesty but interrogate those victims of arbitrary power abandoned and forgotten in those

impenetrable dungeons where silence and injustice ever dwell, you would then know to what torments is condemned the wretch for whom the sun rises without hope, and the night returns without repose. We have authority to believe that the duke of Orléans and Messrs. Sabatier and Freteau are not guilty: were they so, the right of judging them is reserved for the parliament, and the prerogative of pardoning to your majesty. Liberty is not a privilege, but a right; and it is the duty of all governments to respect that right. It is not a prince of the blood, nor two magistrates, that the parliament claims now in the name of the laws and of reason; it is three French individuals—THREE MEN." To this remonstrance the king, with true monarchical apathy and pride, answered, "that his parliament must with due respect and silence confide in his wisdom, and that he forbade them to have or publish any farther deliberations on the subject."

A project more rash and chimerical than any hitherto entertained by the minister was now disclosed. This was no less than the establishment of a supreme court, by the name of the COUR PLENIERE, consisting of members to be nominated by the king, and to be vested with the power of enregistering the royal edicts—thus superseding the existing parliaments in the highest and most appropriate branch of their authority. The par-

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liament of Paris, apprised of the fatal stroke that was meditating, published, May 7, a declaration, copies of which were transmitted to all the other parliaments, expressive of their determined resolution to oppose to the utmost this arbitrary and unconstitutional innovation. "The system of complying with the king's absolute will, (say this assembly) as expressed in his different answers, proves the minister's destructive project of annihilating the principles of the national government, which parliament is bound to maintain, and from which it will never depart."

The court, resolving to prosecute its nefarious designs, issued orders for the arresting Messrs. D'Espremenil and Monsambert, two celebrated counsellors and patriotic members of the parliament; and a party of the military, surrounding at midnight the seat of justice, demanded the immediate surrender of the two magistrates. A most animated remonstrance from the parliament was the result of this act of tyranny—happy, had the sentiments it contained produced their just effect on the mind of the monarch! "Your parliament is confirmed, SIRE, (say they) by every proceeding, of the entire innovation which is aimed at in the system of monarchy; but, SIRE, the French nation will never adopt the despotic measures to which you are advised: the fundamental laws of the kingdom MUST not be TRAMPLED on, and your autho-

rity can only be esteemed so long as it is tempered with justice. We beseech your majesty not to suffer apparent or momentary advantages to divert your attention, as they may only produce unhappy consequences. Your majesty will sooner or later discover the justness of our representations."

A bed of justice being in defiance of the warnings and threatenings of parliament held, and the edict for the establishment of the COUR PLENIERE forcibly enregistered, the most violent commotions ensued throughout the kingdom, which every where wore the appearance of hostility and war. The first president of the parliament, in the name of that assembly, informed the king, that the parliament would acknowledge no authority which infringed on the complete exercise of their prerogatives. The parliament of Rouen pronounced the edicts in question to be null and void, and all persons assisting in the execution of them to be traitors to the nation; and for this daring act of patriotism *lettres de cachet* were immediately executed against them. The parliaments of Rennes, of Grenoble, and of Metz, distinguished by their zeal in the same cause, were in like manner ordered into banishment. Great bodies of the military were in motion; and every step taken on the part of the court indicated a resolution to persevere in the plan of coercion, when, on the sudden, the courage of the king and his mi-

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nisters once more totally failed them; and an order of council was published, August 8, fixing the convocation of the States to the first of May, 1789, and SUSPENDING during the interval the institution of the COUR PLENIERE.

On the 16th of August a second arrêt of council was promulgated, avowing the inability of the court to answer the ordinary demands upon the royal treasury; and directing the future payments to be made in the proportion of three-fifths in money, and two-fifths in notes bearing an interest of five per cent. This was regarded as a direct act of bankruptcy; and the clamor, confusion, and consternation, which ensued, were so great, that the archbishop of Toulouse, no longer able to resist the torrent, thought proper to resign his office, after an administration of little more than a year, distinguished by its inconsistency, imbecility, and temerity. To console him in his disgrace, he was translated to the rich archiepiscopal see of Sens, and decorated with the Roman purple.

The voice of France called aloud for the reinstatement of M. Necker, who was now a second time placed at the head of the finances. The reputation of the new minister operated as a sort of charm. By the adoption of wise measures adapted to the present exigencies, the immediate embarrassments of government were removed. All eyes were now turned to the approaching convocation

of the States General, previous to which a second convention of the Notables was held (October 5, 1788) in order to determine several important questions that had arisen relative to the formation of the assembly of the States. It appeared to be nearly the unanimous opinion of the Notables, that it should be constructed on the model of the last assembly convened in 1614; and a doubt was even suggested whether any power short of that of the States General deliberating in the antient manner, by the established orders of nobles, clergy, and the *tiers état*, could superinduce upon it any material alteration. The Notables were dissolved on the 12th of December, 1788. The final decision of the court was at length made known by a decree of council, dated 27th of December; by which it was determined, that the number of deputies to the ensuing States General should not fall short of one thousand; that it should be apportioned with all practicable accuracy to the population and financial contributions of the different baillages; and that the representation of the *tiers état* should be equal to the sum of the representations of the other two orders—a concession eagerly desired by the nation, and attended with the most important consequences.

States General convened at Versailles.

At length, on the 5th of May, 1789, a day ever memorable in the annals of France, and of the world, the assembly of the States General met at

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Versailles, and the session was opened by a speech from the king, couched in terms of patriotic and paternal regard, such as princes well know upon occasion how to adopt. Although the excessive repugnance of the court to the adoption of this measure had been most notorious, his majesty congratulated the assembly on the arrival of the day which he had so long *panted* to see. "The public spirit (said the monarch) is in a ferment, but an assembly of the representatives of the nation will certainly hearken to no other counsels than those founded on justice and wisdom. Whatever may be expected from the most tender solicitude for the public good, whatever can be asked from a sovereign the sincerest friend of his people, you may, you ought to hope from me." At this period, no doubt, the court was ready to submit to the necessity, which it could not but recognise, of making great and permanent concessions for the satisfaction of the nation, and the restoration of the public tranquillity. But to ascribe to the monarch the most distant idea of a voluntary departure from the antient and established prerogatives of sovereignty would be the extreme of weakness and credulity.

The first object of the States was the "verification of their powers." This ceremony the *tiers état* insisted, to the astonishment of the superior orders, could only take place in a common assem-

bly, voting not by orders, but by poll. The admission of this pretension involved in it no less than the absolute subversion of the antient constitution of the States; and it was resisted in the strongest manner by the superior orders, as a flagrant usurpation. On the other hand the *tiers état* plainly perceived that the antient mode of voting by orders would reduce them, the real representatives of the people, to whom it peculiarly appertained to establish freedom in France, to mere cyphers. By an ordonnance passed in the reign of Charles V. surnamed "the Wise," A. D. 1355, the unanimous consent of the three estates was indeed declared to be necessary to make a new law: so that had the people possessed any privileges, this provision might be regarded as the bulwark of the national liberty. But when the people were reduced to a state of bondage, and the object was to establish an equality of rights, it operated strongly and manifestly to their disadvantage. After six weeks of inaction, the *tiers etat*, at the suggestion of the abbé Sieyes (June 17), took the daring and decisive step of declaring itself the legislative body, by the appellation of the NATIONAL ASSEMBLY, and proceeded to the verification of their powers.

—Assume the appellation of National Assembly.

On the 19th of June, the chamber of the clergy passed a resolution, importing their acquiescence in the decision. Alarmed in the highest degree at the situation of affairs, the monarch held on the

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23d a royal session, in which he proposed a plan of government, liable indeed to many and great objections, but containing the first outlines of a free constitution. Agreeably to this plan, the distinction of orders was preserved, allowing them nevertheless to debate in common on emergent occasions, with the royal approbation. In fine, the king declared, in virtue of his royal authority, the proceedings of the 17th null and void, and ordered the deputies immediately to separate. This was the decisive moment. An unreserved obedience to the order of the king would have rendered them contemptible in their own eyes and in those of the nation, which had received with unbounded acclamation the resolution reprobated by the monarch. The question to be determined was, whether they would be satisfied to accept from the royal benignity the imperfect and precarious boon now offered? or whether, at the imminent risk of their lives and fortunes, they would make one grand effort to establish a constitution founded on the eternal and immutable principles of equal and perfect freedom? Impelled by a glorious and resistless enthusiasm, they hesitated not for a moment which of these alternatives to embrace. When the king retired, he was followed by all the nobles and a part of the clergy: the commons alone remained motionless on the benches. The marquis de Brezé, grand master of the cere-

monies, addressing himself to the president, M. Bailli, said, "SIR, you know the orders of the king:"—to which the president with Roman dignity replied, "The people of France in their collective capacity have no orders to receive." And M. Mirabeau, a member highly distinguished in the sequel by his talents and eloquence in the assembly, starting up, added, "Go tell your master, that we are here by the power of the people, and that nothing shall expel us but the bayonet." A vast majority of the deputies made the hall resound with their acclamations, exclaiming as it were with one voice, "Nothing but force can drive us hence."—Immediately a resolution passed, with the dissent of a very few voices, declaring the person of each deputy to be inviolable.

On their next meeting, the assembly were joined by the majority of the clergy, and forty-nine members of the nobility, with the duke of Orléans at their head; and on the 27th, at the express instance of the king, agreeably to his characteristic inconstancy, by the remaining members of the superior orders; though the duke of Luxemburg predicted, as it is said, to the monarch, "that from the day the States should vote by numbers only, from that moment he was at their mercy." The assent of the king was however false and hollow. An army of 35,000 men, collected from various parts, were stationed under the command of mar-

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shal Broglio in the vicinity of Versailles and Paris. Camps were marked out for a still greater force, and lines of fortification drawn. A most spirited remonstrance was presented to the king by the Assembly, requesting, or rather insisting upon, the removal of the troops. This was peremptorily refused; but his majesty declared his willingness to indulge the assembly by a removal of their sittings to Noyon or Soissons. "Certainly (said M. Mirabeau, when this answer was reported) there is no need to deliberate on the removal proposed;—we will go neither to Noyon nor to Soissons. We have not demanded this permission; nor will we, because we do not desire to place ourselves between the troops which invest Paris and those which might fall upon us from Flanders and Alsace. We have demanded the removal of the troops; we have not asked permission to flee before them."

On the 11th of July M. Necker was suddenly dismissed, and ordered to depart the kingdom in twenty-four hours; and with him his friend M. Montmorin, minister for foreign affairs. In the disgrace of M. Necker the Assembly saw their own ruin determined: and they passed a resolve, that the late ministers carried with them the confidence and regret of the nation. But the popular enthusiasm having now reached its height, a most astonishing insurrection took place at Paris on the

14th of July, in which the castle of the Bastille was carried by storm—the soldiery refusing to obey the orders of their officers, and many joining the assailants. BOOK XXIII. 1789.

The monarch, astonished and intimidated at these proceedings, once more varied his policy; and, appearing in person the next day in the National Assembly, declared "that he had issued orders for the immediate removal of the troops." A burst of joy and acclamation succeeded; and it was now at last hoped, that the monarch, sensible of the evil counsels by which he had been deceived and misled, would not henceforth deviate from the path of political rectitude. M. Necker and count Montmorin were immediately reinstated in their offices. The count d'Artois, marshal Broglio, the prince of Condé, and other leaders of the court faction, were compelled to seek for safety in flight, and on the 17th of July the king made his triumphal entry into Paris.

The Assembly now proceeded without interruption in their labors; and in a short time several very important decrees, containing the first principles of the new constitution, importing the subordination of the executive, the supremacy of the legislative, and the independency of the judicial powers, were presented for the royal acceptance. After a delay of many weeks, and an urgent reapplication, the royal assent was most reluctantly

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given, with an express salvo for the antient essential and constitutional prerogatives of the crown. All the former jealousies were now revived; and it was universally rumored and believed, that preparations were in train to facilitate the retreat of the king to Metz in Lorraine, where the royal standard was to be raised in hostile opposition to the National Assembly.* Inflamed and enraged with this dreadful apprehension, another popular insurrection, of a nature not less extraordinary than the former, took place, October the 6th, in which a nocturnal attack was made on the palace of Versailles, the king, and the queen, by whose fatal counsels the monarch had been chiefly guided, made captives and conducted to Paris, where the

* From the decisive testimony of M. de Moleville, we learn that marshal Broglio had, immediately after the storming of the Bastille, proposed to escort the king to Metz, with the royal family. The archbishop of Aix at the same time advised, that military force should be employed against the insurgents at Paris—after which the States General might be dissolved: and the petitions and denunciations which this courtly prelate supposed would be sent from every quarter against them would render it unnecessary to assemble them again. [Annales de Moleville, tom. i. p. 272.] But the king, weak, wavering, and irresolute, equally devoid of energy and penetration, terrified by the representations of the duc de Liancourt, determined to throw himself upon the National Assembly for protection. Happy would it have been, unable as he was to govern, had he submitted passively henceforth to the national impulse, of which he was manifestly and wholly unequal to the control!

palace of the Tuilleries, secured by a strong military guard, was assigned them for their future residence. The effect of this violence on the person of the sovereign was an explicit and unconditional acceptance, on his part, of the articles of the constitution, formerly presented; and the National Assembly removed their sittings to Paris, where they were henceforth deeply occupied in executing the Herculean task of regenerating the whole system of the national polity, laws, and government.

Amongst the decrees which most excited the admiration or astonishment of the world were those which pronounced the annihilation of all feudal privileges; the abolition of all distinction of orders; the resumption of tithes and other ecclesiastical and monastic property; the dissolution of monastic institutions; the allotment of the kingdom into a new territorial division, under the name of departments, eighty-three in number, nearly equal in population and extent; finally, the extinction of the provincial parliaments, and the establishment of departmental assemblies, of courts of justice, and the trial by jury in each department. The general principles on which the government of the kingdom was modelled were comprehended in a Declaration of Rights, drawn up with great precision and ability,

—Publish a Declaration of the

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and which may serve as a perpetual charter of liberty to mankind.*

Rights of Man.

* This famous DECLARATION, which well deserves a place in the frontispiece of every national code of laws, is substantially as follows:

I. Men were born, and always continue, free and equal with respect to their rights. Civil distinctions therefore can be founded only on public utility.

II. The end of all political associations is the preservation of the natural and imprescriptible rights of man. And these rights are liberty, property, security, and resistance to oppression.

III. The nation is essentially the source of all sovereignty.

IV. Political liberty consists in the power of doing whatever does not injure another.

V. The law ought only to prohibit actions hurtful to society.

VI. The law is an expression of the will of the community. All being equal in its sight, are equally eligible to all honors, places, and employments, without any other distinction than that created by their talents and virtues.

VII. No man shall be accused, arrested, or held in confinement, except in cases determined by the law, and according to the forms which it has prescribed.

VIII. No one ought to be punished but in virtue of a law promulgated before the offence.

IX. Every man is to be presumed innocent till *conviction of guilt.*

X. No man ought to be molested on account of his opinions, not even his religious opinions; provided his avowal of them does not disturb the public order.

XI. Every man may speak, write, and publish freely—being responsible for the abuses of this liberty in cases determined by law.

It is no wonder that a revolution so extraordinary, and which, notwithstanding certain unhappy concomitant irregularities and excesses, afforded so fair a prospect of future and permanent happiness, should excite great exultation amongst the friends of liberty in England. The first public demonstration of this appeared on the occasion of an anniversary meeting of a Whig association in the metropolis, known by the name of the Revolution Society, on the 5th of November, to celebrate the memory of that great monarch by whose heroic interposition, at a crisis of imminent danger, the laws and liberties of Great Britain were, under the favoring auspices of Heaven,

XII. A public force is necessary only to give security to the rights of men and citizens.

XIII. Public contributions ought to be divided equally among the members of the community, according to their several abilities.

XIV. Every citizen has a right, by himself or his representative, to a free voice in determining the necessity and appropriation of public contributions.

XV. Every community has a right to demand of its agents an account of their conduct.

XVI. Every community, in which the separation of powers is not determined, nor a security of rights provided for, wants a constitution.

XVII. The right to property being inviolable and sacred, no one ought to be deprived of it, except in cases of evident public necessity legally ascertained, and upon condition of a previous and just indemnity.

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settled on a solid and permanent basis. Previous to the assembling of the members at the usual place of festive meeting, a sermon or discourse on "the Love of our Country" was preached to such as chose to hear, at a chapel belonging to the dissenters at the Old Jewry, by the famous Dr. Price; in which the primary principles of government were stated in a mode which the sanction of a century had rendered familiar in this country; and the great doctrines of liberty inculcated with all that emphasis and energy which characterized the pen of that distinguished and venerable patriot. "The improvement of the world depended," as the preacher affirmed, "on the attention given by men to this topic. Nor will mankind be ever as virtuous and happy as they are capable of being, till the attention to it becomes universal and efficacious. If we forget it, we shall be in danger of an idolatry as gross and stupid as that of the antient heathens, who, after fabricating blocks of wood or stone, fell down and worshipped them." At the conclusion of this discourse, in expatiating on the favorableness of the present time to all exertions in the cause of liberty, he broke out into the following eloquent exclamation—"What an eventful period is this! I am thankful that I have lived to it: and I could almost say, LORD! *now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.* I have lived to see a diffu-

sion of knowledge which has undermined superstition and error; I have lived to see the rights of men better understood than ever, and nations panting for liberty which seemed to have lost the idea of it. I have lived to see thirty millions of people indignantly and resolutely spurning at slavery, and demanding liberty with an irresistible voice; their king led in triumph, and an arbitrary monarch surrendering himself to his subjects.—After sharing in the benefits of one revolution, I have been spared to be a witness to two other revolutions, both glorious; and now methinks I see the ardor for liberty catching and spreading, and a general amendment beginning in human affairs —the dominion of kings changed for the dominion of laws, and the dominion of priests giving way to the dominion of reason and conscience. Be encouraged, all ye friends of freedom, and writers in its defence! The times are auspicious. Your labors have not been in vain. Behold kingdoms, admonished by you, starting from sleep, breaking their fetters, and claiming justice from their oppressors! Behold the light you have struck out, after setting America free, reflected to France, and there kindled into a blaze, that lays despotism in ashes, and warms and illuminates EUROPE!"

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Impressed with these noble and elevated sentiments, the society, whose numbers on this occa-

—Congratulatory address of the

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sion far exceeded those of any former anniversary, unanimously resolved, on the motion of Dr. Price, to offer, in a formal address, "their congratulations to the National Assembly, on the event of the late glorious revolution in France." This being transmitted by the chairman lord Stanhope, to the duke de la Rochefoucault, and laid by that distinguished nobleman before the Assembly, was received with loud acclamations. "It belonged (said the duke de la Rochefoucault in his reply) to Dr. Price, the apostle of liberty, to propose a motion tending to pay to liberty the fairest homage —that of national prejudices. In that address is seen the dawn of a glorious day, in which two adverse nations shall contract an intimate union, founded on the similarity of their opinions, and their common enthusiasm for liberty." Also the archbishop of Aix, president of the National Assembly, transmitted to lord Stanhope, in a manner the most polite and flattering, the vote of the Assembly, relative to the address, stating, "that the Assembly was deeply affected with this extraordinary proof of esteem, and directing the president to express to the Revolution Society the lively sensibility with which the National Assembly had received an address breathing those sentiments of humanity and universal benevolence that ought to unite together, in all countries of the world, the true friends of liberty and the happiness of mankind."

Such was the general state of things, when the parliament of Great Britain was convened at Westminster, January 21st, 1790. The king's speech contained nothing remarkable. It slightly and ambiguously glanced on the affairs of France, in declaring "the internal situation of the different parts of Europe to have been productive of events which had engaged his majesty's most serious attention." But early indications appeared of the light in which the recent transactions in that kingdom were viewed by the court. Lord Valletort, in moving the address, took occasion to contrast the tranquil and prosperous situation of England with the anarchy and licentiousness of France, and to stigmatize the revolution in that kingdom as an event the most disastrous, and productive of consequences the most fatal, which had ever taken place since the foundation of the monarchy. This language was highly applauded by the old prerogative phalanx, distinguished by the appellation of the King's Friends. But these sentiments unfortunately were far from being confined to that inveterate and dangerous faction.

Session of parliament.

French revolution reprobated by Mr. Burke and the king's friends.

Upon the debate which took place on February the 9th, relative to the army estimates, Mr. Burke argued in favor of a reduction of the peace establishment, from that state of perfect security which the nation at present enjoyed—professing that, on a review of all Europe, he "did not find that,

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politically, we stood in the smallest degree of danger from any one state or kingdom it contained; nor that any foreign powers, but our own allies, were likely to obtain a preponderance in the scale. —France (said Mr. Burke) has hitherto been our first object in all considerations concerning the balance of power: but France is in a political light to be considered as EXPUNGED out of the SYSTEM of EUROPE. Whether she could EVER appear in it again, as a leading power, was not easy to determine: but at present he considered France as not politically existing: and MOST ASSUREDLY, it would take MUCH TIME to restore her to her former ACTIVE EXISTENCE. *Gallos quoque in bellis floruisse audivimus*, might possibly be the language of the rising generation. It was said, as she had speedily fallen, she might speedily rise again. He doubted this. The fall from an height was with an accelerated velocity; but to lift a weight up to that height again was difficult, and opposed by the laws of physical and political gravitation. In a political view, France was low indeed; she had lost every thing, even to her name:

——————" Jacet ingens littore truncus,
Avolsumque humeris caput, et sine nomine corpus.

" He was astonished at it. He was alarmed at it. He trembled at the uncertainty of all human greatness. The French had shewn themselves the ablest architects of ruin that had hitherto appeared

in the world. In one short summer they had completely pulled down to the ground their monarchy, their church, their nobility, their law, their army, and their revenue. Were we absolute conquerors, and France to lie prostrate at our feet, we should blush to impose upon them terms so destructive to all their consequence, as a nation, as the durance they had imposed upon themselves. In the last age we were in danger of being entangled, by the example of France, in the net of a relentless despotism—a despotism indeed proudly arrayed in manners, gallantry, splendor, magnificence, and even covered over with the imposing robes of science and literature. Our present danger, from the example of a people whose character knows no medium, is, with regard to government, a danger from licentious violence—a danger of being led from admiration to imitation of the excesses of an unprincipled, plundering, ferocious, bloody, and tyrannical democracy—of a people whose government is anarchy, and whose religion is atheism.—Mr. Burke pronounced the French nation very unwise. What they valued themselves upon was, in his opinion, a disgrace to them. They had gloried, and some people in England had thought fit to take share in that glory, in making a revolution. All the horrors and all the crimes of the anarchy which led to this revolution, which attend its progress, and

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which may eventually result from its establishment, pass for nothing. The French have made their way through the destruction of their country to a bad constitution, when they were absolutely in possession of a good one. Instead of redressing grievances, and improving the fabric of their state, to which they were called by their monarch and sent by their country, they had rashly destroyed all the balances and counterpoises which serve to fix the state and to give it a steady direction. These they had melted down into one incongruous ill-connected mass; and, with the most atrocious perfidy and violation of all faith among men, laid the axe to the root of all property, and consequently of all national prosperity, by the principles they established, and the example they set in confiscating all the possessions of the church. They had made and recorded a sort of institute and digest of anarchy, called 'A Declaration of the Rights of Man:' thus systematically destroying every hold of authority, by opinion, religious or civil, on the minds of the people. By this *mad declaration* they had subverted the state, and brought on such calamities as no country, without a long war, had ever been known to suffer. Mr. Burke declared that he felt some concern that this strange thing called a Revolution in France should be compared with the glorious event commonly called the Revolution in England. In truth, the circumstances

of our Revolution, as it is called, and that of France, are just the reverse of each other in almost every particular, and in the whole spirit of the transaction. What we did was in truth and substance not a revolution made, but prevented. We took solid securities; we settled doubtful questions; we corrected anomalies in our law. In the stable fundamental parts of our constitution we made no revolution; no, nor any alteration at all. We did not impair the monarchy. The nation kept the same ranks, the same subordinations, the same franchises, the same order in the law, the revenue, and the magistracy—the same lords, the same commons, the same corporations, the same electors. The church was not impaired: Her estates, her majesty, her splendor, her orders and gradations, continued the same: she was preserved in her full efficiency, and cleared only of that intolerance which was her weakness and disgrace. Was little done then, because a revolution was not made in the constitution? No—every thing was done; because we commenced with reparation, not with ruin. Instead of lying in a sort of epileptic trance, exposed to the pity or derision of the world for her wild, ridiculous, convulsive movements, the state flourished; Great Britain rose above the standard of her former self. All the energies of the country were awakened, and a new æra of prosperity commenced, which still continues,

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not only unimpaired, but receiving growth and improvement under the wasting hand of time."

—Vindicated by Mr. Fox and the friends of the people.

Mr. Fox, notwithstanding his personal regard and friendship for Mr. Burke, thought it necessary, in justice to the rectitude and dignity of his own character, to declare "his total dissent from opinions so hostile to the general principles of liberty; and which he was grieved to hear from the lips of a man whom he loved and revered—by whose precepts he had been taught, by whose example he had been animated to engage in their defence. He vindicated the conduct of the French army, in refusing to act against their fellow-citizens, from the aspersions of Mr. Burke, who had charged them with abetting an abominable sedition by mutiny and desertion—declaring that, if he could view a standing military force with less constitutional jealousy than before, it was owing to the noble spirit manifested by the French army, who, on becoming soldiers, had proved that they did not forfeit their character as citizens, and would not act as the mere instruments of a despot. The scenes of bloodshed and cruelty that had been acted in France, no man (said Mr. Fox) could hear of without lamenting. But when the grievous tyranny that the people had so long groaned under was considered, the excesses they had committed in their efforts to shake off the yoke could not excite our astonishment so much as our regret.

And as to the contrast which Mr. Burke had exhibited, respecting the mode in which the two revolutions in England and France were conducted, it must be remembered, that the situation of the two kingdoms was totally different. In France, a free constitution was to be created: in England, it wanted only to be secured. If the fabric of government in England suffered less alteration, it was because it required less alteration. If a general destruction of the antient constitution had taken place in France, it was because the whole system was radically hostile to liberty, and that every part of it breathed the direful spirit of despotism."

Mr. Sheridan, with still less reserve and attention to personal respect, reprobated the political sentiments which had been that night advanced by Mr. Burke. "The people of France, (said Mr. Sheridan) it is true, have committed acts of barbarity and bloodshed which have justly excited indignation and abhorrence. That detestation and abhorrence however are still more justly due to the government of France prior to the revolution, the tyranny and oppression of which had deprived the people of the rights of men and of citizens, and driven them to that degree of desperation which could alone have incited those unexampled acts of cruelty and revenge which had been practised in the first agitation and violence of the effort to regain their freedom. Could it be expected, that

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men in their situation should be capable of acting with the same moderation and the same attention to humanity and sensibility as characterised freemen? Were the mad outrages of a mob an adequate ground for branding the National Assembly with the stigma of being a bloody, ferocious, and tyrannical democracy? It was a libel on that illustrious body thus to describe them. A better constitution than that which actually existed it is allowed that France had a right to expect. From whom were they to receive it? From the bounty of the monarch at the head of his courtiers? or from the patriotism of marshal Broglio at the head of the army? From the faint and feeble cries emitted from the dark dungeons of the Bastille? or from the influence and energy of that spirit which had laid the Bastille in ashes? The people, unhappily misguided as they doubtless were in particular instances, had however acted rightly in their great object. They had placed the supreme authority in those hands by whom alone it could be justly exercised, and had reduced their sovereign to the rank which properly belongs to kings—that of administrator of the laws established by the free consent of the community." The house appeared, during a long and most interesting discussion, greatly agitated by this shock and conflict of opinions. But Mr. Pitt preserved a cautious and politic silence as to the merits of the revolution which

had taken place; venturing nevertheless to pronounce that the present convulsions in France must sooner or later terminate in general harmony and regular order, and lavishly applauding Mr. Burke, for the zealous and seasonable attachment he had displayed to the principles of the British constitution.

The spirit by which the court was now actuated still more evidently appeared in their conduct relative to the dissenters, who had signalized themselves by the exuberance of their joy at the late events in France. Since the favorable decision of the late session relative to the repeal of the Test Laws, they had not ceased their efforts by every means in their power to increase the number of their friends in the house of commons. Provincial meetings were convened by them in every part of the kingdom; and resolutions, framed in terms for the most part harsh and revolting, passed, expressive of their sentiments of the injustice and oppression under which they suffered. And in contemplation of the approaching general election, they had even the gross indiscretion, in many of their public votes, to recommend a marked preference in favor of those who had shewn themselves the friends and advocates of equal and universal liberty. In the stead of Mr. Beaufoy, a friend and partisan of the minister, Mr. Fox was now solicited to move the house a third time for the repeal of the acts in

Mr. Fox's motion for a repeal of the test:

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question; to which he gave a ready and generous assent. By appearing to consider the repeal of the Test Laws as a matter of great magnitude and importance, the nation at large, which had originally regarded the question with indifference, were led to believe it to be a matter of high and serious import. Counter-meetings of the friends of the church were called, in which the repeal of the Test was deprecated as fatal to its security. The clergy revived with incredible success the obsolete and senseless clamor, that the CHURCH was in DANGER. All possible encouragement was given to these artifices of faction and efforts of bigotry by the court; so that when the period arrived at which the destined motion was to be made, the dissenters were astonished to find the government, the church, and the nation, combined in passionate opposition to a claim which to them appeared founded on the clearest principles of reason, policy, and justice.

On the 2d of March, Mr. Fox brought forward his motion of repeal, which, unmindful of its present extreme unpopularity, and fixing his attention only on the essential and immutable rectitude of the measure, he supported with a wonderful display of ability. He said, "that it was to him a matter of triumph, that the very people who had imputed to him designs hostile to liberty and subversive of the constitution had requested him to plead their cause on that day. This was at once

a refutation and reparation of the WRONG they had done him." He said, "he was himself a member of the established church, and thought an establishment, if not necessary, at least useful and advisable: and should any attempts be made to invade the just rights of the church, she should find him as ready to stand forward the champion of those rights, as he was this day to plead those of the dissenters; and he hoped the time would come when the church would see his conduct in its true light, and acquit him of any design upon her splendor, influence, or greatness. Persecution (said Mr. Fox) is a bond of union. Remove the barriers which separate the dissenters from the community of citizens, and in their collective capacity they would be no longer known. Men unite to resist oppression; but cease to oppress, and the union is dissolved. Continue it, and you render the union still more compact and firm; till resistance, at first perhaps weak, gradually becomes formidable, and finally successful. And experience shews, that, when oppression has been carried to certain lengths, men think that the only way to destroy the oppression is to destroy the oppressor. Such is the tendency and such the termination of this wretched system of policy. For any government to extend its jurisdiction over the opinions of individuals (said this magnanimous statesman) is at once absurd and tyrannical. It is absurd, for opi-

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nions must and ought to be free. They are not the proper objects of human authority, and they may in fact be perfectly innocent and harmless, when in a mere speculative view they perhaps appear fraught with mischief and danger. It is tyrannical, for it would furnish a pretext for every species of oppression and persecution. It is not to control opinions, but actions, that government is instituted. And then only has the state a right to interfere, when by any overt act a man has offended against any known law. Then, and then only, is punishment justly inflicted, when a man by his conduct has proved himself criminal; and not when it is inferred, and perhaps most unjustly inferred, from his opinions, that he may possibly become so. Such (said Mr. Fox) is the absurdity of the laws in question, that the legislature has for many successive years regularly passed an act for indemnifying those who presume to serve their country at their own peril. To this miserable expedient are men driven, rather than repeal a law which they themselves blush to execute."

Mr. Pitt, who had done himself honor by the temper and moderation with which he had opposed the former applications, now indulged some expressions of asperity. "Neither the merits nor demerits of individuals ought (he said) to have any influence in the discussion of the present question: yet was the conduct of the dissenters liable

to just reprehension, who, at the very moment they were reprobating the Test Laws, discovered an intention of forming associations through the country for the purpose of imposing a test upon the members of that house, and judging of their fitness for discharging their parliamentary duty from their votes upon this single question. He was far from wishing to throw any stigma upon the dissenters; but he affirmed it to be EXTREMELY PROBABLE, that they might exercise the power they demanded for the subversion of the present establishment. The important question at issue (he asserted) plainly was, whether the house ought to relinquish at once those acts which had been adopted by the wisdom of our ancestors to serve as a bulwark to the church, whose constitution was so intimately connected with that of the state, that the safety of the one must be always affected by any danger that threatened the other. To toleration the dissenters were undoubtedly entitled. They had a right to enjoy their liberty and their property, to entertain their own speculative opinions, and to educate their offspring in such religious sentiments as themselves approved. But the indispensable necessity of a permanent church establishment for the good of the state required that toleration should not be extended to equality; if it were, there would be an end for ever to the wise policy of prevention, and a door would be opened to the absolute ruin of the constitution."

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The policy of prevention has indeed been ever a primary object of the attention of the ablest and most enlightened statesmen. The only question upon this occasion was, what conduct this wise policy dictated and required? Agreeably to the general system of which Mr. Pitt professed himself the advocate, the constitution could be effectually secured from eventual attack by no other means than the imposition of arbitrary and odious restraints—and branding with opprobrious distinctions those who were suspected of disaffection to the government, however apparently loyal in profession and in conduct. On the contrary, Mr. Fox's plan of prevention consisted in extending with an equitable and impartial hand the privileges of the constitution to all the numerous classes and descriptions of citizens professing allegiance to the government, presuming disaffection to be the offspring of oppression, and that equality of advantage would certainly and necessarily produce reciprocal equality of attachment. In a word, Mr. Pitt would obviate the power, but Mr. Fox the inclination, to injure. Mr. Pitt would bind the *disaffected* in chains—he would load them with the galling weight of fetters and manacles; but Mr. Fox, whose policy is justice, and with whom justice is policy, with magnanimous indignation would burst their bonds and annihilate their disaffection.

Mr. Burke seconded the minister in a speech of

far more virulence, and in present circumstances therefore of far more efficacy. He expressed his "utter contempt of all abstract principles of natural right: these (he said) were annihilated by society, which secured the possession of every comfort which those proud and boastful rights impotently held out, but could not bestow. He astonished and alarmed the house with reading several passages from the writings of dissenting divines on the subject of Ecclesiastical Establishments, expressed with the usual acrimony and violence of theological polemics. From these testimonies Mr. Burke inferred the inveterate enmity of the dissenters to the church; and he adjured the house to suffer the fatal incidents which had taken place in France, and the sudden ruin of the Gallican church, to awaken their zeal for the preservation of our present happy and excellent establishment."

On the division the numbers were, ayes 105, noes 294; so that the majority against the repeal had increased since the last session from 20 to 189 voices. In consequence of the unhappy manner in which this question was treated, the spirit of religious bigotry, prejudice, and animosity, was revived throughout the kingdom in an extraordinary degree. The grand fabric of policy which it had been the labor of a century to rear, and the glory of the house of Hanover for two successive reigns to cherish, was now in a moment of rash-

—Negatived with remarkable attendant circumstances.

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ness and resentment demolished and overthrown. The dissenters on their part can by no means be acquitted of blame. Considering the great plausibility which may be given by eloquent and artful men to principles the most absurd and erroneous, it is no wonder that many highly respectable persons, far removed from contempt as to knowledge and understanding, should regard the repeal of the Test Laws as attended with a degree of risk and danger.* Till the PASSIONS of the public were

* "The sufferings of men in their civil rights upon religious accounts (says bishop HOADLEY in his memorable answer to bishop SHERLOCK) was the INFLAMING CONSIDERATION—and what gave rise to those passions which in the last century produced such fatal effects. The contrary conduct, therefore, would have the contrary effect. Let all hardships and all oppressions cease. Let there be no civil punishment, or civil suffering, or civil inconvenience, call it as you please, on account of what is the dictate of men's private conscience, unless it immediately affect the civil government. If the former method has been tried, and has been seen to blow up disaffection into violence, then the true cure for these evils is to prevent them by acting a contrary part, and trying that which never yet has had in any part of the world so fatal effects. To go on in the old way of continuing grievances and burdens is only to pave the way to the same evils whenever time and opportunity shall offer; and this as certainly as that the same human nature will be worked upon in the same manner by the same methods; or as certainly as that the same causes, all things concurring, will ever produce the same effects. Those evils were begun by partiality and oppression, and therefore the true lasting effectual remedy would be for government to

awakened, it is however extremely evident that the arguments of the dissenters, and of their advocates, both in and out of parliament, made a sensible impression in their favor; but when they proceeded to a rude and arrogant mode of urging their claim, the voice of reason was lost in the subsequent conflict. Had the dissenters conducted themselves with the respect and deference due to the government of a country even when in error, it is by no means improbable that at a future period the court might have *suffered* the repeal to pass; but by pressing the repeal with a boldness and precipitancy which allowed no salvo for the honor of government, they could expect no other than a decided and acrimonious opposition. It is nevertheless very remarkable in one view, that the measure in question should be opposed with such

abolish all partiality as to civil rights, and all hardship wherever there is equal affection to the civil government, properly so called. Admitting, for argument's sake, the disaffection of the dissenters to the government at former periods, if that disaffection to the civil constitution, testified by former actions, were a just ground for making such exclusive acts, then certainly the truest affection to the present civil constitution, testified through a long series of years and in times the most critical and dangerous, is the justest reason in the world for putting an end to these acts." Such were the noble sentiments, and such the generous and enlightened policy, with which the dissenters were not only uniformly treated, but publicly defended, by those men in whom the house of Brunswic once placed their trust and confidence.

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pertinacity by the executive government, since the very object of the repeal was merely to remove a restraint upon the exercise of its prerogative. And if the object of these successive applications had been attained in its utmost extent, it would still have depended upon the pleasure of the crown, whether a single dissenter should have been employed in any office for which a compliance with the Test was previously necessary. The conduct of the dissenters, too eagerly solicitous to remove a stigma which they were conscious they did not deserve, must indeed be acknowledged unwise and indefensible. But when was wisdom supposed the characteristic of a promiscuous and countless multitude? The conduct of government was also at least equally unwise. But from the government of a great nation we have a right to expect wisdom; and from the palpable want of it during the present reign, evils and mischiefs beyond all power of calculation have resulted. After the fatal experience of thirty years, that most important of all political truths remained to be discovered—that mankind are with infinitely more ease and efficacy to be governed by mildness than severity.*

* Of the apologues of antient and of modern times, there is none perhaps that conveys so beautiful a moral, and so extensively applicable, as that of the SUN and WIND. "A traveller (says the fabulist) was journeying with a large and thick cloak loosely cast upon his shoulders, when an eager contention

Shortly after the decision of the house upon this business, Mr. Flood, so long celebrated as a patriot and orator in the Irish house of commons, and who had sat some years almost undistinguished in the British parliament, brought forward a plan of parliamentary reform, in conformity to which an additional number of representatives, to the amount of one hundred, was to be admitted into the legislative body, in a proportional ratio to the population of each county, by the election of the resident householders only. This was a bold and happy effort at reform; and it was supported by the mover in a very able and eloquent speech, in

Mr. Flood's motion for a reform in the British parliament.

arose between the Sun and the Wind, which could with the greater facility cause him to throw it off. To ascertain this question, the Wind first began to blow with keenness, then with violence, rising by degrees into a dreadful tempest. But the traveller, far from casting away his cloak, only wrapped it round him the closer. The Sun then, smiling at the fierce and at the same time impotent efforts of his antagonist, began to shine, till at length, overpowered by the increasing splendor of his beams, the traveller threw off his cloak, not merely as a superfluous, but inconvenient and cumbrous burden. The Wind, now instructed by experience, ingenuously confessed the wretched inefficacy of terror to influence the will, when compared with the generous glow of kindness, and the cheering rays of beneficence."—"Constraint (says a most discerning judge of mankind) is the most defective of all the springs of authority.—In all affairs, *without exception*, coercive means are the most adapted to produce in man an effect exactly opposite to the intention."

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which, adverting to the present state of things in France, he declared "that it was the want of timely and temperate reforms that had made a revolution necessary in that country. Those who opposed such reforms might be enemies to revolution in their hearts, but they were friends to it by their folly."

This motion was vehemently opposed by Mr. Windham, member for Norwich, the obsequious and devoted admirer of Mr. Burke, who adopted in their full extent all his eccentricities and deviations from the rule of right, but who followed him in his superior lines of character, his genius, and his eloquence, with very unequal steps. At the close of the American war (Mr. Windham said) a deluge of opinions had been let loose, a clamor had been raised, and a parliamentary reform demanded—as a remedy for the evils we felt from it. Happily those wild notions had long since subsided; the danger, however, was now breaking out afresh; and were he otherwise a friend to the proposition, he should have objected to it on account of the time at which it was introduced. Where was the man who would be mad enough to advise them to repair their house in the hurricane season?"

Mr. Pitt entirely coincided in these reasonings of Mr. Windham, and declared, "that, were the motion before them the precise proposition he himself had formerly offered, he should now vote

against it from a conviction of its actual impropriety. But at a more seasonable opportunity he would MOST CERTAINLY again submit his ideas upon the subject to the consideration of the house."

Mr. Fox declared, "that he saw no reason why we should be struck with a panic on account of the situation of affairs in France: and in allusion to Mr. Windham's metaphorical argument, he affirmed, that no season could be more proper to begin a repair than when a hurricane was near and ready to burst forth." Mr. Flood, perceiving the general sentiments of the house, even of those members who had formerly favoured the idea of parliamentary reform, to be adverse to the motion, at length assented to withdraw his proposition.

The business relative to the abolition of the slave-trade went on slowly and heavily. Every artifice of procrastination was used on the part of the slave-merchants and planters, and the whole session passed over in the hearing of evidence and examination of witnesses.

Trial of Mr. Hastings. Its disgraceful procrastination.

The trial of Mr. Hastings also proceeded with almost equal languor. On the 16th of February (1790) the charge respecting presents was recapitulated by Mr. Burke; but in the entire course of the session the court sat only thirteen days. The enthusiasm of those who wished and expected to

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have seen a great public delinquent brought to speedy and exemplary justice was fast changing to compassion for the man who seemed destined to live a life of impeachment, and to have become the object of a relentless persecution. The evidence on three articles only of the general charge out of twenty was as yet closed on the part of the commons, after which Mr. Hastings was to enter upon his defence, and the commons were to reply; so that in all probability the judges and the witnesses, the accusers and the accused, would be all swept away by the hand of Time before the trial could arrive at its legal termination. The common sense of mankind revolted at this procedure. It appeared manifest to all, that this was not the mode in which human affairs could or ought to be conducted. The real merits of the cause were lost in the immensity of the detail. It was not to be expected or imagined that the public at large could pretend to form any judgment respecting it. This only without hesitation they inferred, that if Mr. Hastings was so criminal as he was represented, a short and simple statement of facts would suffice to prove his guilt. But Westminster Hall was converted into a LYCEUM, a school of eloquence, and all was seen confused and magnified through the mist of rhetorical declamation. The house of commons had indeed originally proposed that the lords should decide separately upon

each article, which might doubtless have tended considerably to shorten the proceedings; but this the counsel for the defendant objected to, as an unfair and partial mode of determining upon the merits of so complicated a case, and in which many of the articles of impeachment were so intimately connected. And the peers resolved to hear the WHOLE evidence in support of all the charges of impeachment, previous to the defendant's entering upon his defence. Towards the close of the session, a resolution passed the house of commons, on the motion of Mr. Burke, "that the house do authorize the managers to insist only upon such and so many of the charges as may appear to them conducive to the obtaining speedy and effectual justice;" and major Scott was, by the order of the house, reprimanded by the speaker in his place, for ascribing, in a certain libellous publication, the procrastination of the trial to the systematical artifices of the managers.

On the 31st of March, 1790, Mr. Dundas brought forward his annual statement of the debts and revenues of the East-India Company, as required by the Regulation Act. He represented, according to annual custom, their situation as in the highest degree prosperous and flourishing; and, what is very remarkable, he did not conclude his eulogium of the present year with asking a loan to enable them to avoid the horrors of insolvency. Through

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Wise administration of lord Cornwallis in India.

the wise and equitable administration of lord Cornwallis, the revenues of Bengal had been advancing during the last year, without the aid of any new imposition, from one million eight hundred thousand pounds to two millions one hundred and fifty thousand pounds. The present governor-general, on his accession to his high office, had stated the situation of the provinces as most wretched and deplorable. In his dispatch to the Court of Directors, dated August 2, 1789, he says, "Independent of all other considerations, it will be of the utmost importance for promoting the solid interest of the Company, that the PRINCIPAL LANDHOLDERS and TRADERS in the interior parts of the country should be *restored* to such circumstances as to enable them to support their families with decency, according to the customs of their several *castes* and religions. I am sorry to be obliged to say, that agriculture and internal commerce have for many years been gradually declining; and that at present, excepting the class of shroffs and banians, who reside almost entirely in great towns, the inhabitants of these provinces were advancing hastily to a general state of poverty and wretchedness. In this description I must even include almost every zemindar in the Company's territories."—And in his council-minute of September 18, 1789, his lordship writes, "I can safely assert, that ONE THIRD of the Company's territory is now a jungle, inhabited by WILD BEASTS!"

One of the primary measures, both in contemplation and importance, of the new governor-general was, to lease the lands *in perpetuity* at an equitable valuation to the actual occupants; in allusion to which momentous transaction, his lordship thus forcibly expresses himself to the Directors: "The security of property, and the certainty which each individual will NOW feel of being allowed to enjoy the fruits of his labors, must operate uniformly as incitements to labor and industry." This could not but be construed as a bitter satire on the conduct of his predecessor; and as amounting to a very explicit acknowledgment of the misery and oppression which the inhabitants had long suffered under his capricious, haughty, and tyrannical domination.

BOOK XXIV.

Dispute with Spain relative to the Settlement at Nootka Sound. Reluctance of France to support the Claims of Spain. Convention between Great Britain and Spain signed at the Escurial. Anniversary of the French Revolution celebrated. Mr. Burke publishes calumnious Reflections on the French Revolution. The pernicious and fatal Consequences of the Reflections. Reflections answered by Thomas Paine. Wonderful Effects of Paine's Pamphlet. New Parliament—Attempt of Mr. Pitt to seize the unclaimed Dividends at the Bank. Debate on the Pendency of Mr. Hastings's Impeachment. Catholic Toleration Act passed. Mr. Fox's Motion for a Bill to ascertain the Rights of Juries. Mr. Wilberforce's Motion for the Abolition of the Slave-Trade. Bill for establishing a Constitution in Canada. Alarming Dispute with Russia. Formidable Opposition in Parliament. Mr. Pitt compelled to disgraceful Retractations. State of Affairs in France. Church and King—Riots at Birmingham. Session of Parliament—Flourishing State of the Nation. Mr. Whitbread's Motion of Censure respecting Russia. Mr. Wilberforce's second Motion of Abolition. Insidious Conduct of the House of Lords. Mr. Fox's Motion for a Repeal of the Penal Laws. Mr. Whitbread's Motion of Enquiry into the Birmingham Riots. Mr. Fox's Libel Bill passed into a Law. Act for the Relief of the Scottish Episcopalians. Society of the Friends of the People instituted. Royal Proclamation for the Suppression of Sedition. State of Affairs in India. State of Affairs in France. Amicable Overtures of the French Court rejected. Deposition of the King of France. Injurious Decree of the Convention. Infamous In-

vaison of Poland by the Russians. Detestable Perfidy of the King of Prussia. King of Sweden assassinated. English Ambassador recalled from France. Unsolicited Offer of Assistance to the States General. Terrors of Innovation—Associations formed. Royal Proclamation—Militia embodied. Parliament convened—A Plot in Disguise. Defection of the Alarmists. Mr. Fox's Motion for a Negotiation with France negatived. Mr. Dundas's rash and confident Prediction. Ineffectual Efforts of the Executive Council of France to avert the War. French Ambassador ordered to depart the Kingdom. Insults and Injuries offered to France. English Government at length proposes to negotiate. War declared by France against England and Holland.

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Dispute with Spain relative to the settlement at Nootka Sound.

IN the month of April Mr. Pitt presented, as usual, his statement of the national revenue and expenditure; and it was very consolatory to the public to be informed that the receipt of the Exchequer had surpassed that of the year preceding in the sum of half a million; and more so to be told that still greater accessions might reasonably be hoped from the uninterrupted enjoyment of the inestimable blessings of peace. It therefore excited peculiar astonishment, when, in about a fortnight from this period, viz. May 5th, 1790, a royal message was delivered by the minister, announcing a state of things which bore the undisguised and menacing aspect of war.

To elucidate this matter, it is necessary to mention that the celebrated circumnavigator Cook,*

* It is impossible, on the incidental mention of a name so famous, not to pause for a moment, in order to pay to his me-

in his last voyage of discovery, touching at divers ports on the western coast of North America, purchased from the natives a number of valuable furs bearing a high price in the Chinese market. This branch of commerce proving very lucrative, a spot of ground was, in the year 1788, procured from the Indians, and a regular establishment, defended by a slight fortification, formed at a place called

mory the passing tribute of applause. What the combined efforts of former ages had left doubtful was at length ascertained by the skill, courage, and perseverance, of Cook. Those grand geographical problems, the existence of a southern continent, and the practicability of a north-west passage from the Atlantic to the Pacific, are now become geographical chimæras. The unfortunate event by which this great navigator, like his renowned predecessor Magellan, lost his life in an encounter with the savages of an island in the Indian ocean, has been celebrated in a most beautiful elegy, by one of the first poetical geniuses of the age—Miss Seward. The lines expressive of the anxious impatience of his widowed consort, as yet unconscious of the loss she had sustained, for the return of him for whose safety she had preferred her daily and nightly vows, are peculiarly striking and emphatic:

'But ah! aloft on Albion's rocky steep,
That frowns incumbent o'er the boiling deep,
Solicitous and sad a softer form
Eyes the lone flood, and deprecates the storm.
Ill-fated matron! for, alas! in vain
Thy eager glances wander o'er the main.
'Tis the vex'd billows that insurgent rave—
Their white foam silvers yonder distant wave;
'Tis not his sails—thy husband comes no more:
His bones now whiten an accursed shore!'

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Nootka Sound, situated about the 50th degree of north latitude. This being regarded by the Spaniards as a flagrant encroachment on their exclusive rights of sovereignty, the Princessa a Spanish man of war, dispatched for this purpose by the viceroy of Mexico, in the following spring, seized without ceremony upon the fort, and captured such English vessels, the Iphigenia, Argonaut, &c. as were found trading on the coast. At the same time the Spanish commandant, hoisting the national standard, declared that the whole line of coast from Cape Horn to the 60th degree of north latitude belonged to the king of Spain. After some delay, and much loss and vexation to the proprietors, the captured vessels were restored by order of the viceroy, on the supposition, as he declared, "that nothing but ignorance of the rights of Spain could have induced the merchants in question to attempt an establishment on that coast."

Of these particulars the court of London was informed by the Spanish ambassador so long since as the 10th of February; and his excellency at the same time requested "that measures might be taken for preventing his Britannic majesty's subjects from frequenting those coasts, and from carrying on their fisheries in the seas contiguous to the Spanish continent, as derogatory to the incontestible rights of the crown of Spain." This was

the exact counterpart of the memorable affair of Falkland Islands, which had so nearly involved Europe in a war twenty years before. The minister of that day, had he continued in power, would doubtless have avoided striking a second time upon the same rock; but it has been observed, not without too much colour of plausibility, from facts like the present, that although individuals gain wisdom by experience, nations do not. The famous dispute between the courts of Madrid and London, relative to the Scottish settlement on the Isthmus of Darien, in the reign of king William, was of a nature exactly analogous to the more recent ones of Falkland Islands and Nootka Sound; and, if it were possible for statesmen to profit by the errors of their predecessors, exhibited a most useful and instructive lesson.

The claims of Spain, in relation to her rights of dominion and sovereignty in America, were doubtless in the highest degree chimerical, and could perhaps be equalled in extravagance only by the claims of Great Britain. By the treaty of 1763, the river Mississippi, flowing from north to south in a direct course of 1500 miles, was made the perpetual boundary of the two empires; and the whole country to the west of that vast river belonged to his Catholic majesty, by just as valid a tenure as the country eastward of the river to the king of England. Exclusive of this recent and decisive line

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of demarcation, by which the relative and political rights of both nations were clearly ascertained, the Spanish court referred to antient treaties, by which the rights of the crown of Spain were acknowledged in their full extent by Great Britain.

Death of Charles III. king of Spain. Accession of Charles IV.

Charles III. king of Spain, died December 1788, and his son Charles IV. the succeeding sovereign, confiding in the justice of his claims, offered with dignified candor to submit the decision of this question to any one of the kings of Europe, leaving the choice wholly to his Britannic majesty. "It is sufficient (says the Spanish minister, count Florida Blanca) for the Spanish monarch, that a crowned head, from full information of the facts, shall decide as he thinks just; adding, that on a late application to the court of St. Petersburg, in relation to several encroachments on the part of the Russians, the empress had given the most positive orders that no settlement should be formed on that line of coast. As to the non-occupancy of the particular spot in question by the Spaniards, the court of Madrid justly observed, that such a plea, if admitted, would tend, by the incongruous intermixture of settlements, to the utter annihilation of all definite and permanent boundaries."

The reply of the court of London to the memorial of the Spanish ambassador was high and haughty. "The act of violence mentioned in the memorial necessarily suspended any discussion

till an adequate atonement had been made for a proceeding so injurious to Great Britain."

On the statement of these facts in the royal message, the house unanimously joined in an address to the king, assuring his majesty of the determination of his faithful commons to afford his majesty the most zealous and affectionate support in such measures as may become requisite for maintaining the dignity of his majesty's crown, and the essential interests of his dominions. A vote of credit passed the house for the sum of one million; and vigorous military and naval preparations were made in both kingdoms, in the contemplation of an immediate declaration of war.

It must be acknowledged that the hostile procedure of Spain had reduced the English ministry to a difficult dilemma. The value of the settlement at Nootka, in a commercial and national view, was beneath all calculation of insignificance; and it argued culpable inattention in the British ministers, not to have been better and earlier apprised of the extent of the real or imaginary rights of Spain, whose jealousy at the slightest infringement upon those rights was sufficiently notorious. This extreme irritability was the more pardonable, as Spain had ever with the strictest honor abstained from all violations of the similar claims and pretensions of other countries. A moment's reflection must have evinced, that a British settle-

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ment on the coast of California must be eventually productive of a serious contention with the court of Madrid: and a slight degree of discretion would have sufficed to obviate this ground of national quarrel. But in consequence of the rash step taken by Spain, the NATIONAL HONOR was now at stake: and Mr. Grey, in moving for papers relative to this transaction, justly observed, "that national honor was not, as some represented it, a visionary thing; a nation without honor was a nation without power. In losing this inestimable attribute, it inevitably lost the genuine spring of its spirit, energy, and action. Every nation therefore ought to be careful of its honor; to be careful lest by one mean submission it encouraged an attack upon the dignity of its character—that best security for the preservation of its peace."

These high and elevated sentiments, suggested by the generous ardor of youth, Mr. Burke's long and eventful experience seemed to regard as susceptible nevertheless of some modification. "He hoped that the national honor would not be found incompatible with the means of amicable accommodation. As we never ought to go to war for a profitable wrong, so we ought never to go to war for an unprofitable right. He therefore trusted that the intended armament would be considered not as a measure calculated to terminate the war happily, but to carry on the negotiation vigo-

rously. He wished the war might be avoided. He had seen three wars, and we were gainers by none of them. Our ability and resources were doubtless great; but *then* did a country prove its magnanimity most clearly, when she manifested her moderation to be proportionate to her power. What indeed had we to contend for? If all the distant territories of Spain were thrown into the scale of England, we should, like Spain, be only the weaker for our acquisitions."

On the 10th of June, 1790, the king terminated the session, and in his speech signified the probability of a speedy dissolution of the present parliament; assuring them in handsome terms of "the deep and grateful sense which he entertained of that affectionate and unshaken loyalty, that uniform and zealous regard for the true principles of the constitution, that unremitted attention to the public happiness and prosperity, which had invariably directed all their proceedings:" and on the day following the parliament was dissolved by proclamation.

Conscious of her inability to contend alone with the power of England, Spain had in an early stage of the negotiation applied to the court of France, to know how far she could depend, in present circumstances, upon the fulfilment of the conditions of the family compact, in case of a rupture with Great Britain.

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From the period of the king's compulsive removal to Paris, no symptoms of opposition to the will of the nation had appeared; and by seeming cheerfully to acquiesce in the successive decrees of the Assembly, he had in some measure recovered, what of all things is most difficult to regain—LOST CONFIDENCE. For this purpose, and like other measures of deep deceit, it for a time answered the purpose—the king repaired, of his own spontaneous motion, in solemn form to the Assembly, at the beginning of the month of February, 1790, in order to testify his inviolable attachment to the principles of the new constitution. "Every plan (said the monarch, in the speech delivered by him on this memorable occasion,) that may have a tendency to shake the principles of the constitution, every scheme designed to overturn them or to weaken their salutary influence, will have no other effect than to introduce the terrible evils of discord; and even supposing the success of such an attempt against my people and me, the result would deprive us, without furnishing a compensation, of the various advantages of which a new order of things exhibits the prospect.—Let us give ourselves up with good faith to the hopes that we ought to conceive—Continue your labors: let it be known that your monarch applauds them. I should have many losses to recount, but I find my happiness in that of the nation. From the bottom

of my heart do I express this sentiment. I will maintain with my whole power the constitution, the principles of which have been sanctioned by the general will in concurrence with my order.—May this day, in which your monarch comes to re-unite himself to you, effect in like manner the re-union of all. Let us all from this day profess but one opinion, one interest, one will, in our attachment to the new constitution, and an ardent desire for the peace, happiness, and prosperity of France." This speech was received with unbounded acclamations of joy and gratitude. The king was hailed as the RESTORER of the GALLIC LIBERTY, and the hall of the Assembly resounded on his departure with applauses and benedictions. In the plan of the new constitution, though much was detracted from the prerogative of the monarch, much was retained: and the authority of the king of France was still amply sufficient for the real purposes of government. He was acknowledged as the sole depositary of the executive power—as the supreme head of the general administration of the kingdom. In virtue of his sanction, the acts of the legislative body acquired the force of law. He was constituted not the nominal merely, but efficient chief of the army and of the navy. The external safety of the state, and the conservation of its rights and privileges in relation to foreign powers, were confided to him. He dis-

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posed at his pleasure of the great offices of state. He appointed, recalled, and received ambassadors; and he was the grand medium of intercourse with foreign nations. He was addressed by the august titles of SIRE and MAJESTY; and to maintain the dignity and splendor of the crown, he had a civil list revenue of one million two hundred and fifty thousand pounds per annum.* Where then, after all the senseless clamors of the enemies of this revolution, was as yet the mighty injury the monarch had sustained? That the constitution itself, like all other human things, was not free from imperfection, may without difficulty be admitted; but the subsequent misfortunes of France originated from causes which bore no analogy to those defects: they were owing not to the constitution, whether well or ill constructed, but to the opposition made to its establishment.

Reluctance of France to support the claims of Spain.

The count de Montmorin having laid, by order of the king, the memorial of the Spanish court before the Assembly, this gave rise to a very interest-

* 'When the decree was pending (June 1790) relative to the civil list, the Assembly sent a deputation to the king to request that he would himself fix the amount of the sum to be appropriated to that purpose; and they expressly charged the president of the Assembly, who was appointed head of the deputation, to beseech his majesty to consult on this occasion less his spirit of œconomy than the dignity of the French nation, which required that the throne of the monarch should be supported with lustre.'—*Memoires de Moleville.*

ing report from the Diplomatic Committee, presented (August 1790) to the Assembly by the count de Mirabeau. "If we take a survey (say the reporters) of the object in dispute between the courts of London and Madrid, we can hardly suppose that the peace will be interrupted. The territory in question between the two powers, in fact, belongs to neither: it is the property of the inhabitants whom nature originally placed there. This line of distinction appears a little more consonant to truth than that marked out by the pope: and these people, distant from us as they are, if they are oppressed, are they not our allies? Shall we do so much injustice to the character of two enlightened nations, as to suppose they would lavish their blood and treasure for the acquisition of so distant, so barren a spot of ground?" With some hesitation, and many high compliments to the English nation, the report comes at length to the conclusion, "that it would not be just or honorable to annul the solemn engagements subsisting between Spain and France, at an instant when Spain is threatened with the same dangers which she had repeatedly warded off from them." An ardent wish for the establishment of permanent peace and cordial amity with England is, notwithstanding, the predominant sentiment in this celebrated report. "Perhaps (say they) the moment is approaching when LIBERTY, triumphant in both

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hemispheres, shall accomplish the wish of philosophy, by delivering the human species from the necessity of war. What is it but an insidious system of politics that has hitherto represented as our rival a nation whose steps we have followed, whose brilliant example has been a light to direct us in the attainment of our liberties, and with whom so many new motives lead us to cultivate a good understanding?—Let us not for a moment believe that England is disposed to take advantage of our transient commotions to prevent the development of the principles which she has taught us. In her the attempt would be sacrilege—in us sacrilege to believe it."

Notwithstanding the vote of the National Assembly for an immediate augmentation of the naval force, the court of Madrid plainly saw the reluctance of the French nation to engage in a war with England, and, yielding to necessity, complied first with the harsh demand of previous restitution and indemnification; and at length, on the 2d of October, 1790, a convention was signed at the Escurial, by which every point in dispute was conceded by Spain. The settlement at Nootka was restored; the free navigation and right of fishery in the Southern Pacific were confirmed to Britain; a full liberty of trade and even of settlement was granted to all the north-west coasts of America, beyond the most northerly of the Spanish

Convention between Great Britain and Spain signed at the Escurial.

settlements, unaccompanied, however, by any formal renunciation of their right of sovereignty. And the two powers were, on the other hand, equally restrained from attempting any settlement nearer to Cape Horn than the most southerly of the settlements actually formed by Spain. A very wise article was inserted likewise in this treaty: That in all future cases of complaint, or supposed infraction of the present convention, no act of violence shall be committed, but an exact report shall be made of the affair to the respective courts, who will terminate such difference amicably.

Thus ended a dispute frivolous in its origin, but which seemed in its progress to threaten very serious consequences, and which cost Great Britain the sum of three millions in warlike preparations; though this expence might have been, with great advantage to the general interests of the parties concerned, avoided, by submitting the whole of the dispute, in the mode proposed by Spain, to amicable arbitration. And so insignificant was the object in contest, that no one either in or out of parliament has, so far as appears, thought it worth while to enquire whether restoration has really been made in the mode prescribed by the treaty or not.*

* It is certain, nevertheless, from the most authentic subsequent information, that the Spanish flag flying at the fort and settlement of Nootka was never struck, and that the whole

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Anniversary of the French revolution celebrated.

The ANNIVERSARY of the REVOLUTION in France, which was dated from the fall of the Bastille (July 14), was celebrated throughout the country, and more especially at Paris, with great magnificence. The king assisted in person, and took a solemn oath to maintain the constitution. The National Assembly and the armed citizens repeated it amidst the acclamations of innumerable spectators; and the whole kingdom, with one voice, and almost at the same moment, swore to live free or die. In the genuine spirit of antient Greece, was raised on the site of the Bastille a superb column sacred to liberty: and in the Grecian spirit of citizenship and equality, a decree of the

territory has been virtually relinquished by Great Britain—a measure, however politically expedient, which involves in it a severe reflection upon the minister who could permit so invidious an encroachment upon the antient and acknowledged rights of the crown of Spain. The whole conduct of the British court in this business appeared so arrogant and arbitrary, that the ablest politicians were deceived by it. The count de Segur, ambassador at Berlin, by a mistaken refinement, affirms, "that England, profiting by the troubles by which France was exhausted, fitted out a numerous fleet, and under the flimsy pretext of reclaiming some contraband ships taken by the Spaniards on the west coast of North America, threatened and denounced war against Spain. But the cabinet of London (he asserts), intimidated by the energetic and unexpected resolution of the National Assembly to enforce the family compact, desisted from its ambitious projects."

History of Frederic William II. vol. II. p. 153—171.

Assembly had recently passed, abolishing all artificial distinctions of rank—all the Gothic institutions of chivalry and knighthood, ribbands, crosses, armorial bearings, and hereditary titles of honor.* In ENGLAND also, the French Revolution was commemorated in the metropolis, and various other parts, with great festivity and the most cordial gratulation—the characteristic generosity of the people of England displaying itself upon this occasion in a manner very conspicuous and pleasing.

* After the reduction of the citadel of Syracuse by Timoleon, that great man, as we are told, did not spare the place on account of its beauty and magnificence: but, on the contrary, he invited the Syracusans by public proclamation to join in the destruction of the bulwark of despotism; and, the building being levelled with the ground, he erected a COMMON HALL there for the seat of judicature, at once to gratify the citizens and to shew that a popular government should be elevated on the ruins of tyranny. When, after thus gloriously re-establishing the liberty of Sicily, an envious and factious demagogue preferred a public accusation against him in the assembly of the people, who could not suppress the emotions of their indignation, he immediately stilled the tumult, by declaring, "that he had voluntarily undergone so many labors and dangers, that the meanest Syracusan might have recourse when he pleased to the laws:" adding "that he could not sufficiently express his gratitude to the GODS, in permitting him to see all the Syracusans enjoy the liberty of saying what they thought fit." *Plutarch.* Let the admirers of such distinctions declare what TITLE could add dignity to the name of TIMOLEON.

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Mr. Burke publishes calumnious reflections on the French revolution.

Soon after this transaction, Mr. Burke, who had in the last session uttered so furious an invective against the French revolution in the house of commons, still more transported with rage and rancor at the high degree of prosperity it had now attained, published a book entitled "Reflections on the French Revolution," written with a force of eloquence and energy of declamation calculated to produce the most powerful effects. The object of this elaborate treatise was two-fold: 1. To expose to the public resentment and indignation those persons who had in this country manifested their approbation of the revolution in France; and 2. To place that revolution itself in an odious and abominable light, as an event to be deplored, detested, and deprecated. And, in an Appendix to this work, he with most atrocious and unexampled malignity invites and exhorts all Christian princes to make, what he styles, "a common cause with a just prince dethroned by rebels and traitors." The deluded people of France, to be rescued from the evils they had brought upon themselves, must, as he affirmed, be SUBDUED. And he intimates, that this war, or crusade, is to be conducted on principles different from any former one. "The mode of civilized war (says he) will not be practised; they must look for no modified hostility; all which is not battle will be MILITARY EXE-

CUTION." The members of the Revolution Society, and the other commemorators of the French revolution, he inveighs against in terms of the most unqualified abuse; and he charges Dr. Price in particular with having *fulminated* in his revolution sermon principles little short of treason and rebellion. "His doctrines (says Mr. Burke) affect our constitution in its vital parts. He affirms that his majesty is almost the only lawful king in the world, because the only one who owes his crown to the choice of his people. As to the kings of the world, all of whom, *except* ONE, this arch-pontiff of the rights of men, with all the plenitude and with more than the boldness of the papal deposing power in its meridian fervor of the twelfth century, puts into one sweeping clause of *ban and anathema*, and proclaims usurpers by circles of longitude and latitude over the whole globe, it behoves them to consider how they admit into their territories these apostolic missionaries, who are to tell their subjects they are not lawful kings. Nothing can be more untrue, than that the crown of this realm is held by his majesty by the choice of the people. Whilst the legal conditions of the COMPACT of SOVEREIGNTY are performed, he holds his crown (as Mr. Burke virtually affirms) in CONTEMPT of their choice:*" *i. e.* according to this

* The words of Mr. Burke are, literally, "the choice of the Revolution Society." But if his majesty reigns in contempt

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novel and extraordinary mode of reasoning, in conforming his conduct to the conditions of the national choice, he reigns in actual contempt of

of the choice of one part of the people, he reigns, doubtless, by a parity of reason, in contempt of every part. As this eccentric writer and politician has so grossly misrepresented the principles of *antient and genuine Whiggism*, it will not be improper to quote, from lord Molesworth's Prefatory Introduction to Hottoman's Franco-Gallia, an extract comprising the ideas of that distinguished and celebrated nobleman of a *true Whig*. "My notions of a Whig, (says lord Molesworth) I mean of a real Whig—FOR THE NOMINAL ARE WORSE THAN ANY SORT OF MEN—is, that he is one who is exactly for keeping up to the strictness of the true old Gothic constitution under the three estates of king, lords, and commons; the legislature being seated in all three together—the executive entrusted with the first, BUT ACCOUNTABLE TO THE WHOLE BODY OF THE PEOPLE IN CASE OF MAL-ADMINISTRATION. A true Whig is not afraid of the name of a COMMONWEALTH'S-MAN, because so many foolish people, who know not what it means, run it down. Queen Elizabeth, and many of our best princes, were not scrupulous of calling our government a Commonwealth, even in their solemn speeches to parliament. It is certainly as much a TREASON and REBELLION against this constitution, and the known laws, in a PRINCE to endeavour to break through them, as it is in the people to rise against him whilst he keeps within their bounds, and does his DUTY. Our constitution is a government of LAWS, not of PERSONS. Allegiance and protection are obligations that cannot subsist separately. When one fails, the other falls of course. The true etymology of the word *loyalty* is an entire obedience to the prince in all his commands *according to* LAW; that is, to the laws themselves, to which we owe both an active and a passive obedience. WHIG-

their choice. Dr. Price having asserted the abstract right of the people, as exemplified at the Revolution, to depose their governors for misconduct, and frame a government for themselves—Mr. Burke says, "the people of England utterly

GISM is not circumscribed and confined to any one or two of the religions now professed in the world, but diffuses itself among *all*.—All penal acts of parliament for opinions purely religious, which have no influence on the state, are so many encroachments upon liberty. Why may not all be citizens of the world?—A right Whig looks upon frequent parliaments as such a fundamental part of the constitution, that even no parliament can part with this right. He thinks that a waste or a desert has no claim to be represented. High Whiggism is for annual parliaments, and low Whiggism for triennial with annual meetings. I leave it to every man's judgment which of these is least liable to corruption! No man can be a sincere lover of liberty, that is not for increasing and communicating that blessing to all people.—And therefore the giving or restoring it, not only to our brethren of Scotland or Ireland, *but even to* FRANCE *itself*, were it in our power, is one of the PRINCIPAL ARTICLES of WHIGGISM.—A right Whig cannot satisfy himself with any of the *foolish distinctions* trumped up of late years, but deals upon the square; and plainly owns that the exercise of an arbitrary illegal power would incapacitate king James or king William, or ANY OTHER KING, whenever the public has power to hinder it. A Whig is against the raising or keeping up a standing army in time of peace. LASTLY, the supporting of parliamentary credit, employing the poor, suppressing idlers, maintaining the liberty of the press, are all articles of my Whiggish belief; and if all these together amount to a COMMONWEALTH'S-MAN, I shall never be ashamed of the name."

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disclaim it; they will resist the practical assertion of it with their lives and fortunes." But *how* the people can, in any given or possible circumstances, *resist their own act*, is a paradox which Mr. Burke attempts not to solve. Certain it is that Dr. Price advanced, in this famous discourse, no other principles than those which Mr. LOCKE had urged a hundred years before in defence of the title of king William and the validity of the Revolution government. Amongst innumerable passages to the same purpose, a single citation may well suffice in vindication of a doctrine resting on the immovable foundation of common sense. "Though in a constituted commonwealth (says that immortal writer) standing upon its own basis, and acting according to its own nature, that is, acting for the preservation of the community, there can be but one supreme power, which is the legislative, to which all the rest are and must be subordinate; yet, the legislative being only a FIDUCIARY POWER, to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them. For all power given with trust for the attaining an end, being limited by that end—whenever that end is manifestly neglected or opposed, the trust must necessarily be *forfeited*, and the power devolve into the hands of those that gave it, who may place it anew where

they shall think best for their safety and security. And thus the community perpetually retains a supreme power of saving themselves from the attempts and designs even of their legislators, whenever they shall be so foolish or so wicked as to lay and carry on designs against the liberties and properties of the subject. If they who say this hypothesis lays a foundation for rebellion, mean that it *may* occasion civil wars or intestine broils to tell the people that they are absolved from obedience when illegal attempts are made upon their liberties and properties, they may as well say, upon the same ground, that honest men may not oppose robbers or pirates, because this may occasion disorder or bloodshed. I desire it may be considered what kind of peace there will be in the world, which is to be maintained only for the benefit of robbers and oppressors. Polyphemus's den gives us a perfect pattern of such a peace, such a government, wherein Ulysses and his companions had nothing to do but quietly to suffer themselves to be devoured. Are the people to be blamed if they have the sense of rational creatures, and can think of things no otherwise than as they find and feel them? And is it not rather their fault who put things in such a posture, that they would not have them thought as they are? But whether the mischief hath oftener begun in the people's wanton-

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ness or in the rulers' insolence, I leave to impartial history to determine."*

* Undoubtedly the point which Mr. Burke, in his successive publications, has with most plausibility and force contested, is that which relates to the submission due from the minority to the will of the majority of the members of a civil community. Unless a nation be *self-governed*, neither civil nor political liberty can, in a clear or proper sense, be said to subsist. And this seems to imply, that all the members of a community have an equal inherent right of suffrage, as to all questions which concern the body politic—and that the opinions of the majority should invariably prevail. Theoretically speaking, this is indeed a just and noble principle, and exhibits the most perfect model of civil society: but then this principle is so ill adapted to the actual situation of things, and to the imperfection, not to say the corruption and depravity, of human nature, that it can only be assented to, in practice, in a very qualified sense, and with numerous and important modifications. Hence arise the capital difficulties which occur, in treating on the science of government. It would be the highest extravagance to maintain that the majority have a right to dispense with the eternal laws of equity or justice; or that the few are bound, by any ties of political morality, to submit to the tyranny of the many. It would be also equally absurd to affirm, that all the members of a community, in every possible state of society, are qualified to exercise the right of suffrage. Government is founded on the basis of utility, and its powers must be limited by, and made commensurate with, its purposes. If the minority are in actual possession of the constituted authorities of government, and if they have good ground to believe that they cannot be safely transferred to the majority, they are perfectly justified in withholding them—still

From the date of the fatal publication of Mr. Burke, who seemed ambitious to signalize himself by setting not merely a palace or a temple, but the world itself on fire, the nation was divided into two violent and openly hostile parties. The Tory faction, which had hitherto scarcely dared to whisper their dislike—now, under the sanction of Mr. Burke's authority, became bold and clamorous in their vociferations. And the principles advanced by Mr. Burke, ever grateful to the ears of princes, at once obliterated all past offences,

Pernicious and fatal consequences of the Reflections.

considering themselves as fiduciary trustees, who have no right to retain the monopoly whenever it becomes safe to surrender it. But who, it may be asked, is to be the judge when the minority may exercise exclusive power, or when, supposing their exclusion from power, they may justly refuse submission to the will of the majority? To this, no other answer can be given, than that the minority themselves, and each individual included in it, must, in all the vicissitudes of situation, act according to the dictates of their own understandings. In such cases, it is in vain to search for any precise rule of judgment or of action. He who opposes the will of the majority of a community doubtless takes upon him to do that which very weighty and important reasons only can justify. He incurs at the same time a great risk, and a great responsibility. But to deny the right, in an abstract or modified sense, because it is liable to abuse, would be preposterous, and must tend to confound all moral and political distinctions and limitations. Upon this principle the Huguenots of France would be criminal in having recourse to arms, after the massacre of St. Bartholomew; and the Moriscoes of Spain would merit punishment by resisting the horrible edict of expulsion.

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and placed him in the foremost rank of favorites and courtiers.

Reflections answered by Thomas Paine.

This extraordinary production gave rise to numberless replies, of which by far the most memorable was that written by Thomas Paine, the author of the famous pamphlet styled COMMON SENSE, which, by its almost magical effect on the minds of the people of America, at a most important crisis, paved the way for the declaration of independency. His present work, RIGHTS OF MAN, was written with no less power of intellect and force of language, and made a correspondent, perhaps an indelible impression upon the public mind. Not content with pointing out and exposing with the most sarcastic severity the absurdities and misrepresentations of Mr. Burke—not content with painting in just and striking colors the abuses and corruptions of the existing government—he with daring and unhallowed hand attacked the principles of the constitution itself, describing it in terms the most indecent, as radically vicious and tyrannical; and reprobating the introduction of aristocracy or monarchy, under whatever modifications, into any form of government, as a flagrant usurpation and invasion of the unalienable rights of man.

A few detached quotations from this famous publication may serve as specimens, to gratify curiosity, of the wonder-working power with

which it cannot be denied to have been written. "The countries of the Old World have been long harassed by the quarrels and intrigues of their governments. Age after age has rolled away for no other purpose than to behold their wretchedness. Invention is continually exercised to furnish new pretences for revenue and taxation;—it watches prosperity as its prey. All monarchical governments are military—War is their trade, and plunder their object—Wearied with human butchery, they sit down to rest, and call it peace.—If we would delineate human nature with a baseness of heart and hypocrisy of countenance that reflection would shudder at and humanity disown, it is kings, courts, and cabinets, that must sit for the portrait. War is the pharo table of governments, and nations the dupes of the game. Government on the old system is an assumption of power for the aggrandizement of itself—on the new, a delegation of power for the common benefit of society. Monarchy is the master-fraud which shelters all others. By admitting a participation of the spoil, it makes itself friends; and when it ceases to do this, it will cease to be the idol of courtiers. There is a morning of reason rising upon man on the subject of government, that has not appeared before. The trade of courts is beginning to be understood; and the affectation of mystery, with all the artificial sorcery

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by which they imposed upon mankind, is on the decline. It has received its death-wound; and though it may linger, it will expire. No question has arisen within the records of History, that presses with the importance of the present. It is not whether this or that party shall be in or out; or Whig or Tory, or High or Low Church, shall prevail; but whether man shall inherit his rights, and universal civilization shall take place.—When it shall be said in any country in the world, 'My poor are happy, neither ignorance nor distress is to be found amongst them—my gaols are empty of prisoners, my streets of beggars—the aged are not in want, the taxes are not oppressive—the rational world is my friend, because I am the friend of its happiness'—when these things can be said, then may that country boast its constitution and government.—When we survey (says this temerarious writer) the wretched condition of man under the monarchical and hereditary systems of government, dragged from his home by one power, or driven by another, and impoverished by taxes more than by enemies, it becomes evident that those systems are bad, and that a GENERAL REVOLUTION in the principle and construction of governments is necessary."

Wonderful effects of Paine's pamphlet.

This pamphlet unfortunately appearing at a time when a large proportion of the community, and those the most zealously attached to liberty,

were, from causes already specified, in a state of great irritation and discontent; and the book, notwithstanding its absurd and mischievous political positions, being written in a style and manner which "came home to men's business and bosoms," innumerable converts were made to its general system, and infinite pains were taken to circulate it amongst the body of the people. Political institutions were also instituted in every part of the kingdom, professing to have in view the reform of the constitution, but which with too much reason were suspected really to aim at its subversion. Such were the lamentable consequences resulting from the rashness and folly of Mr. Burke—whose boasted *panacea* operated upon the body-politic as a most deadly poison; and which served to prove that learning, parts, and eloquence, may subsist in the highest perfection, without being accompanied with a single particle of wisdom.*

* Long before the appearance of Mr. Burke's publication, the sentiments of the monarch were well known to be hostile in the highest degree to the French revolution. In the secret repository of the unfortunate Louis was found a letter from M. de Calonne to the French king, dated April 1790, in which the writer warns his sovereign not to suffer himself to be deceived as to the real views and inclinations of the king of Great Britain. In order to satisfy the doubts of the king of France upon this subject, he states that he had applied personally to Mr. Pitt, leaving in the hands of the minister, and by his desire, a note, which

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That the stupendous effect produced by the "Rights of Man" was entirely owing to that state of irritation and resentment which the wretched policy of the administration had recently excited, is apparent from the consideration that the same anti-monarchical principles were fourteen or fifteen years before inculcated with equal force and virulence in the pamphlet styled "Common Sense," without making in this country any visible impression; while in America, where the public mind was in a proper state to receive these doctrines, it operated as a sort of intellectual gunpowder, causing an instantaneous explosion, which laid the whole fabric of monarchy in ruins.

New parliament assembled.

The new parliament assembled on the 25th of November (1790). In his opening speech the

was afterwards put into the hands of the king of Great Britain. "J'étois bien sûr (says M. de Calonne) que sa majesté Britannique, qui plus d'une fois m'avoit témoigné le vif intérêt qu'elle prenoit à la position de votre majesté, s'empresseroit de détruire les doutes qu'on veut vous inspirer sur ses dispositions. Mon attente n'a pas été trompée. George III. a chargé M. Pitt non seulement de réitérer de sa part les assurances déjà données à ceux qui semblent ne les avoir pas transmises fort exactement, mais même de m'écrire à ce sujet une lettre conçue dans des termes les plus précis, et dont je puisse faire usage pour détromper votre majesté. J'ai l'honneur de vous envoyer, sire, une copie certifiée de cette lettre de M. Pitt. Votre majesté y verra ce qu'elle doit attendre d'un monarque pénétré de cette vérité que votre cause est la cause de tous les souverains, et qui est profondément indigné des traitemens qu'on vous a fait."—*Memoires de Moleville.*

king signified "his satisfaction that the differences with Spain were brought to an amicable termination. He observed, that since the last session of parliament a foundation had been laid for a pacification between Austria and the Porte—that a separate peace had actually taken place between Russia and Sweden; but that the war between Russia and the Porte still continued. The principles on which I have hitherto acted," said the monarch, "will make me always desirous of employing the weight and influence of this country in contributing to the restoration of general tranquillity."

The terms of the convention with Spain were approved and ratified in both houses by great majorities—but not unanimously. For the papers and documents relative to the negotiation being partially withheld, Mr. Grey moved an adjournment, declaring "that without them it was impossible to know whether the late disputes were owing to the restless ambition and unjust claims of Spain, or to the rashness, presumption, and ignorance, of his majesty's ministers." In the upper house the marquis of Lansdown expressed his "determination not to join in a vote of approbation of the conduct of ministers who had permitted a set of unknown adventurers to fit out ships with *fine names*, and, under Portuguese colors and papers, to break through a system regarding

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Spanish America which had been sanctioned by the policy of Europe for more than 200 years."

Attempt of the minister to seize the unclaimed dividends at the bank.

To defray the expence of the armament Mr. Pitt, with the laudable resolution to suffer no permanent increase of debt, proposed various temporary taxes, which would discharge the incumbrance in four years—with the assistance of five hundred thousand pounds, which he had it in contemplation to take from the *unclaimed dividends* lying in the Bank of England, the amount of which he estimated at six hundred and sixty thousand pounds. This latter proposition excited a just alarm in all the great chartered companies, and in the commercial and mercantile world in general. It was strongly and ably opposed in the house by Mr. Fox, Mr. Thornton a bank director, and Mr. Samuel Whitbread, recently returned as member for the borough of Bedford—a young man of great personal and mental accomplishments, of a disposition open, noble and ingenuous; and whose ardor of mind, bordering on the enthusiasm of public virtue, was happily regulated by an excellent understanding and correct judgment. It was urged, "that, agreeably to the original contract between the government and the public creditors, the directors of the Bank are constituted trustees for the public creditor. When the money is once paid into the Bank it ceases to be public

money, and is instantly converted into private property; which must there remain a sacred deposit till it is claimed by the private individuals to whom it appertains. And even in case of the expiration of the charter of the Bank of England, the directors still remain a corporation by law, for the express purpose of executing their delegated trust. What mischief may not result from the admission of a power in government, arbitrarily to depart from the conditions of the contract actually made with the public? Under the very term *unclaimed dividends* is indeed veiled a gross fallacy. Exclusive of the dividends of the last three years, which are not properly *unclaimed* but merely *unreceived* dividends, the balance amounts scarcely to a fifth part of the sum which the minister proposes to seize. If the recent and fluctuating balances of the Bank are thus liable to seizure, the minister may one day order the money to be paid into the Bank, and the next he may without any violation of public faith command it to be paid into the Exchequer. But in fact this is no other than a measure of injustice and violence, calculated to compel the Bank to relinquish their trust when the original and express purposes of it are evidently unaccomplished." After much hesitation and contest, the minister consented, by way of compromise, to accept of a loan of five hundred thousand pounds from the Bank, without

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interest, so long as a floating balance to that amount should remain in the hands of the cashier.

Debate on the pendency of Mr. Hastings's impeachment.

On the 17th of December, Mr. Burke moved, "that the house do resolve itself into a committee, to take into consideration the state of the impeachment of Warren Hastings, esq." This being done, he made a second motion, "That an impeachment by this house, in the name of the commons of Great Britain, against Warren Hastings, esq. for high crimes and misdemeanors, is still pending." From this proposition, the entire corps of lawyers in the house, with scarcely an exception, declared their total dissent: and Mr. Erskine, whose talents at the bar were of the highest rank, and who had in the general tenor of his practice distinguished himself by his zealous attachment to the principles of the constitution, in an elaborate speech endeavoured to shew that, in consequence of the dissolution of parliament, the impeachment had *abated*; and on this ground he was supported by Mr. Hardinge, Mr. Mitford, and sir John Scott.

Upon this great question, in the decision of which the honor, the dignity, and the authority of the house were so deeply involved, the Speaker with great propriety rose to deliver his opinion. "If the maxim laid down by the lawyers were admitted as just, the consequence was obvious: the impeachment of a profligate or corrupt mi-

nister might, by the insidious intervention of the prerogative, at any time be rendered nugatory and abortive. In the view of the constitution, and even by the forms of parliament, the impeachment is preferred, not by the house of commons merely, but by all the commons of England; and the house can be considered in relation to the prosecution as no more than the agents and attorneys of the people at large. A second house of commons therefore, though certainly possessing a discretionary power of dropping the prosecution, if upon due consideration they are of opinion that it does not rest upon a just foundation, are as certainly at full liberty to proceed in it, if in their judgment conducive to the safety or the interests of the state. In an impeachment of the nature of the present, it would scarcely be imagined, that twenty complex articles could by any mode of investigation be decided upon in a single session. If then, agreeably to the genius of the antient constitution, parliaments themselves were to be made annual, the labor would be truly Sysiphean —as such a trial *never* could arrive at a legal termination. Such were the plain dictates of common sense; but in resorting to rules of law, and precedents of parliament, doubts and difficulties presented themselves. Upon those remote and obscure precedents which occurred previous to the civil wars of the last century little stress was

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laid: but during the reign of king Charles II. the question had come repeatedly under the formal and regular discussion of both houses. (These precedents, and such as had since occurred, the Speaker had accurately examined, and, in his report of them upon this occasion, commented upon with great judgment and ability.) In the famous case of Lord Danby, A. D. 1679, the parliament was unquestionably dissolved for the purpose of screening the minister from the effects of the impeachment then actually pending against him. But the next parliament understood their privileges too well to make the slightest concession on this important constitutional point: and, in compliance with the claims of the commons, the house of peers, March 19th, 1678-9, RESOLVED, 'that the dissolution of the last parliament doth not alter the state of the impeachments (viz. that of the earl of Danby, and the lords accused as parties in the Popish plot) brought up by the commons in that parliament. In conformity to this decision, the trial of the earl of Danby was continued in no less than four successive parliaments, till, in February, 1683-4, no parliament being then sitting, or likely to sit, his lordship was bailed by authority of the court of King's Bench. On the 19th of May, 1685, the first and only parliament of king James II. was convened; and the question coming immediately before them, respecting the

validity of the proceedings on the late impeachment, it was almost unanimously determined, that the resolution of March 1679* be reversed and annulled; and lord Danby and the other lords were discharged from their recognizances. But it being evidently the province of the peers, in their judicial capacity, *jus dicere* and not *jus dare*, the reversal of the declaratory resolution of 1679 was regarded by the commons as of no weight or authority whatever. In the second parliament convened after the Revolution, an order was made by the lords, April 1690, to take into consideration, whether impeachments continue from parliament to parliament; but the house adjourned the decision of this question from time to time till the parliament was prorogued. And on their next meeting, October 1690, the earls of Peterborough and Salisbury, impeached by the preceding

* In the conference between the two houses, which preceded and gave rise to this famous resolution, serjeant Maynard, one of the managers of the impeachment said, "That which is most insisted upon is, that the charge now made against this lord was presented in another parliament. It is true. But under favor, what is once upon record in parliament *may* at any time afterwards be proceeded upon. I conceive it *hath* been done. However, in a case of this nature—if there were not, I hope you would MAKE A PRECEDENT." In the case of lord Stafford, who urged in arrest of judgment that his impeachment was pending in three different parliaments, the house refused, as a point already determined, to hear the arguments of counsel upon it.

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parliament, were discharged from their bail; but whether in virtue of the act of free and general pardon that had recently passed, or of the resolution of May 1685, is not expressed. In 1695, the earl of Danby, now duke of Leeds, was a second time impeached, on grounds totally distinct from the former: and this impeachment, notwithstanding the reversal of 1685, continued pending under several successive parliaments, though for the most part in an almost dormant state for no less than six years; till, on the 24th of June, 1701, the house of lords resolved, 'that articles having been exhibited against the duke of Leeds, to which he had answered, and the *commons not prosecuting*, the impeachment and articles should be dismissed.' On the first of April, 1701, the earls of Portland and Orford and the lords Somers and Halifax were impeached: but the commons refusing to exhibit articles against them in the mode prescribed by the peers, these impeachments were on the last day of the session dismissed. The next parliament, which met December 1701, it is true, took no steps whatever to revive the impeachments; not that they admitted the principle of abatement by dissolution, but that, being of a political complexion totally different from the preceding parliament, they, with a great majority of the people of England, considered the public conduct of these great WHIG LORDS not only as innocent, but in

the highest degree meritorious. In July 1715, the earl of Oxford was impeached. In June 1716, the parliament was prorogued; and on their subsequent meeting, February 1717, the earl petitioning that his imprisonment might not be indefinite, a committee was appointed by the house to search for and report such precedents as relate to the continuance of impeachments from session to session, and from parliament to parliament; which report being read, it was moved to resolve, 'That the impeachment of the commons against the earl of Oxford is determined by the intervening prorogation.' This was negatived on the division by 87 to 45 lords. But a protest ensued signed by ten lords, in which the general proposition is assumed, that a dissolution would determine the impeachment; and their lordships affirm, that there is no essential difference in law between a prorogation and dissolution. If so, the inference surely is, that the 87 lords would have decided similarly in the case of dissolution. It deserves specific notice, that lord chief-justice Holt, that great authority on all points of constitutional law, in the case of Peters and Benning, 13th William III. publicly delivered it as his opinion, notwithstanding the existing resolution of 1685, that impeachments begun in one parliament might be prosecuted in another. And this appears to have been at all times the prevailing opinion of the Whigs.

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Upon a general review of these facts and precedents, the Speaker gave it as his deliberate and decided judgment, That the impeachment was still legally pending,—and that the resolution of 1685, passed, as there was reason to believe, by the corrupt influence of the court, and in defiance of a solemn prior decision of both houses, and which in no instance since the Revolution had been formally and avowedly acted upon, was wholly invalid and nugatory."

In this opinion Mr. Pitt, Mr. Fox, and the most eminent parliamentary authorities on both sides, concurred. The motion of Mr. Erskine for a *search* into precedents was negatived by a majority of 143 to 30 voices; and the original motion of Mr. Burke triumphantly carried without a division. After a short interval, Mr. Burke, after stating the perpetual obstructions thrown in the way of this trial by the body of the law in every step of its progress, made a third motion, "that the managers be instructed to proceed to no other parts of the impeachment, excepting such as relate to contracts, pensions, and allowances;" which was carried with trivial opposition.

By the resolution of the 23d of December, 1790, the lords found themselves reduced to a dilemma not very pleasant. On a message from the commons, that they were ready to proceed in their evidence, a committee was appointed

by their lordships to search into precedents, which occasioned a suspension of the business till nearly the conclusion of the session. At length the report being made, lord Portchester moved, May 16, "that their lordships now proceed in the trial." This was opposed by the lord-chancellor, who recommended the appointment of a second committee to search for more precedents, and defended by lord Loughborough, now the oracle of Whiggism in the house, in a very able speech, in the course of which he warned their lordships "not to act incautiously with regard to the popular part of the constitution. Let them not deny that the people were any thing, lest they compelled them to think they were every thing. In commenting upon the precedents before the house, he pointed out the fallacies of sir GEORGE JEFFREYS, and other COURT SYCOPHANTS, and rested his argument on the authority of the great constitutional lawyers, Hale, Holt, and Foster. His lordship said, he had it in charge from the lord-president, lord Camden, who was prevented from personal attendance, to state that nobleman's opinion as perfectly coincident with his own: and the lord-president had left with him an opinion of the famous Selden, that the new parliament convened in consequence of the duke of Buckingham's impeachment, 1628, were authorized to have called upon their lordships for judgment

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against the duke." The abatement of the impeachment was on the other hand maintained by lord Kenyon, lord Abingdon, &c. but on the division, the motion of lord Portchester was carried by a great and decisive majority. And their lordships, with the resolution of 1685 still standing in their journals, acquainted the house of commons, by message, that they were now ready to proceed in the trial. This great constitutional point being virtually conceded, Mr. St. Andrew St. John, on the part of the commons, brought forward, in a speech well adapted to the occasion, the remaining charge relative to contracts, agencies, and allowances. Under these various heads the aggregate sum lost to the Company by the gross negligence or corrupt partiality of Mr. Hastings, amounted to 584,381*l.*—a sum more than sufficient to pay two years dividends on the Company's stock at that time. The evidence on this charge, which was very clear and explicit, being completed in a few days, Mr. Hastings opened his defence (June 2, 1791), in a speech occupying many hours, and consisting chiefly of an high panegyric upon his own administration, the merits and services comprehended in which he thus, in the language of unheard-of arrogance and presumption, summed up: "To the commons of England, in whose name I am arraigned for desolating the provinces of their dominion in India, I dare to reply, that

they are, and their representatives annually persist in telling them so, the most flourishing of all the states of India—IT WAS I WHO MADE THEM SO.* The valor of others acquired; I enlarged, and gave shape and consistency to the dominion which you hold there. I preserved it: I sent forth its armies with an effectual but œconomical hand through unknown and hostile regions, to the support of your other possessions: to the retrieval of one from degradation and dishonor; and of the other from utter loss and subjection. I maintained the wars which were of your formation, or that of others, NOT of MINE. I won one member of the great Indian confederacy from it by an act of seasonable restitution: with another I maintained a secret intercourse, and converted him into a friend: a third I drew off by diversion and negotiation, and employed him as the instrument of peace. When you cried out for peace, and your cries were

* It may be worth while to compare this declaration with the state of the province of Rohilcund, as described by colonel Champion; of the vizierate of Oude, by the vizier; of Ferruckabad, by the resident Mr. Willes; of Bengal, by lord Cornwallis; and of Benares, by Mr. Hastings himself. In reply to a succeeding observation of Mr. Hastings, it is proper to remark that the Rohilla war, the second Mahratta war, and the war of Benares, were most certainly and notoriously "wars of his own formation"—the first of which may in barbarity, the second in impolicy, and the third in injustice, vie with any wars recorded in the page of history.

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heard by those who were the object of it, I resisted this and every other species of counter-action by rising in my demands; and accomplished a peace, and I hope everlasting one, with one great state; and I at least afforded the efficient means by which a peace, if not so durable more seasonable at least, was accomplished with another. I GAVE YOU ALL, and you have rewarded me with confiscation, disgrace, and a life of impeachment."—"There is no object upon earth so near my heart as that of an immediate determination of this tedious prosecution. I am so confident of my own innocence, and have such perfect reliance upon the honor of your lordships, that I am not afraid to submit to judgment upon the evidence which has been adduced on the part of the prosecution."

Catholic toleration act passed.

Soon after the recess of parliament (February 21, 1791), Mr. Mitford, a lawyer of great eminence in the house, moved, with the previous sanction and approbation of government, for a bill to relieve the English Catholics from the legal penalties still existing and in force against them. The proposed Act of Toleration was however confined to such of the Catholics as should subscribe a certain declaration or *protest* against the assumed authority of the pope, &c. drawn up in terms to which it could scarcely be expected that the majority of Catholics could conscientiously assent.

Mr. Fox rose to object to the bill, not for what

it did, but for what it did not, contain. He entreated that the bill might be made general. "Let the Statute Book," said this great statesman and advocate of toleration, "be revised, and strike out all those laws which attach penalties to mere opinions." And Mr. Burke joined in reprobating the absurdity and iniquity of those statutes which condemn every man who worships GOD in his own way, as guilty of treason against the state. Mr. Pitt commended these sentiments, but thought it not *prudent* to *act* upon them; and the bill passed in its present form: in consequence of which a most invidious and mischievous line of distinction was drawn between the protesting and non-protesting Catholics, neither of whom were chargeable with, or suspected of, the slightest tincture of disloyalty to the State.

Mr. Fox's motion for a bill to ascertain the rights of juries.

In the course of the session, Mr. Fox, ever active in the cause of liberty, moved for a bill to ascertain the rights of juries in the matter of libel. With respect to the pretended distinction between law and fact, Mr. Fox observed, "that when a man was accused of murder, a crime consisting of law and fact, the jury every day found a verdict of guilty: and this was also the case in felony and every other criminal indictment. Libels were the only exception, the single anomaly. He contended, that if the jury had no jurisdiction over libels, the counsel who addressed them on either side as

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to the criminality of the publication were guilty of a gross and insolent sarcasm. Mr. Fox put this matter in a remarkably strong point of view, by adverting to the law of treason. It was admitted on all hands, that a writing might be an overt act of treason. In this case, if the court of King's Bench were to say to the jury, 'Consider only whether the criminal published the paper—do not consider the nature of it—do not consider whether it correspond to the definition of treason or not'—would Englishmen endure that death should be inflicted without a jury having had an opportunity of delivering their sentiments, whether the individual was or was not guilty of the crime with which he was charged? Mr. Fox wished to know, whether the modern doctrine of libels did or did not extend to high treason?" On its transmission to the house of lords, the bill was opposed on the second reading by the lord-chancellor, on pretence of its being too late in the session to discuss a measure of such importance. The principle of the bill was most ably defended by the law lords Camden and Loughborough, with whom lord Grenville concurred; but the bill was finally postponed.

Mr. Wilberforce's motion for the abolition of the slave-trade.

The evidence on the slave-trade being at length closed, Mr. Wilberforce, on the 18th of April 1791, brought forward his long expected motion of abolition, which he introduced with a copious and masterly display of the arguments in favor of that

measure. The crimes and villanies to which this horrid traffic had given rise were detailed with a minuteness which placed not merely the persons actually concerned, but human nature itself, in a light the most degrading and detestable. And the mover remarked with all the eloquence of feeling and of truth, that the history of this commerce was written in characters of blood. "Let us (said he) turn our eyes for relief from this disgraceful scene to some ordinary wickedness." No such relief, however, was as yet to be obtained from the justice and humanity of the house; for, in conclusion, moving "for a bill to prevent the farther importation of African negroes into the British colonies," it was negatived by a majority of seventy-five voices. Mr. Fox made on this occasion a memorable speech, in the course of which he declared "that those who were not convinced by the evidence before them of the necessity of an abolition of that wicked and infamous commerce had hard hearts or impenetrable heads.—Gain (said this great and justly renowned statesman and orator) is not the first object of an enlightened legislature —no, nor the second. Honor is greatly above gain, and justice greatly above honor."

Had the same motion been made two years before, while the feelings of the house were freshly awakened, there can scarcely exist a doubt but that it must have succeeded. Such is the importance

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of seizing the fortunate and favorable moment of action!—To qualify this refusal, a bill was introduced and passed, for chartering a company for the purpose of cultivating West Indian and other tropical products at Sierra Leona on the coast of Africa, by the use of free negroes—an experiment which is likely to be productive, at no distant period, of very important effects.

Bill for establishing a constitution in Canada.

It had been long a subject of complaint, that the great and extensive province of Canada continued under a government in the highest degree arbitrary and despotic. This government was indeed acknowledged to be merely temporary; but excuses were not wanting to prolong the duration of it. At length Mr. Pitt, in pursuance of an intimation in the royal speech, moved for leave to bring in a bill to repeal certain parts of the act respecting the government of Canada passed in the 14th year of his majesty's reign, and to enact farther provisions for the better government thereof. By the proposed bill, the province was divided into two distinct governments, by the appellations of Upper and Lower Canada. Councils nominated by the sovereign, and houses of assembly chosen by the people, were established in each. The Habeas-Corpus Act was asserted as a fundamental law of their constitution: and by a very important and admirable clause the British parliament were restrained from imposing any taxes whatever, but

such as might be necessary for the regulation of trade and commerce; and to guard against the abuse of this power, the produce of such taxes was to be at the disposal of the respective provincial legislatures. Upon the whole, this bill contained a noble charter of liberty, and did honor to the minister who proposed and to the assembly which adopted it. The clauses in the bill which militated against the general principle of it were opposed by Mr. Fox with extraordinary animation and ability. "The great object of all popular assemblies (Mr. Fox said) was, that the people should be fully and fairly represented; but when the assembly of one province was to consist of only sixteen, and the other of thirty persons, they deluded the people by a mockery of representation. They seemed to give them a free constitution, when in fact they withheld it: and he hoped it would never be said, that the constitution of Canada was modelled after that of England. That these representatives should be elected for the term of seven years, he reprobated as equally inconsistent with freedom. Even in England, where the frequent return of elections was attended with so much real inconvenience, the propriety of the Septennial Bill was justly a subject of doubt; but in a country so differently circumstanced as Canada there could be no plausible objection to annual, or at most triennial, elections. Another strong ground of objection

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with Mr. Fox was, that the legislative councils were unlimited as to numbers by any other restriction than the pleasure of the king, to whom a power was also reserved of annexing to certain honorary and titular distinctions an hereditary right of sitting in council. As to hereditary honors, or hereditary powers, to say they were good or not, as a general proposition, was difficult—but he saw nothing so good in them as to warrant their introduction into a country where they were not known. He did not think it wise to destroy them where they existed; but to create them where they did not exist, he considered as exceedingly unwise. He could not account for it, unless it was that, Canada having been formerly a French colony, there might be an opportunity of reviving those titles of honor the extinction of which some gentlemen so much deplored, and to revive in the West that spirit of chivalry which had fallen into so much disgrace in a neighbouring country."

These incidental expressions awakened the fierce resentment of Mr. Burke, who, on the re-commitment of the bill, May 6, rose, as he said, to speak to its general principle. He enlarged upon "the importance of the act which they were now about to perform. The first consideration was, the competency of the house to such an act. A body of rights commonly called the *Rights of Man* had been lately imported from a neighbouring king-

dom. The principle of this new code was, that all men were by nature free and equal in respect of their rights. If this code therefore were admitted, the power of the house could extend no farther than to call together the inhabitants of Canada to choose a constitution for themselves. The practical effects of this system might be seen in St. Domingo and the other French islands. They were flourishing and happy till they heard of the Rights of Man. As soon as this system arrived among them, Pandora's box, replete with every mortal evil, seemed to fly open, hell itself to yawn, and every dæmon of mischief to overspread the face of the country."—Mr. Burke continuing to launch out into the most violent invectives against the constitution and government of France, he was repeatedly and loudly called to order, and at length compelled to sit down.

Mr. Fox, when the tumult had subsided, with firmness defended his former sentiments relative to the French revolution; and repeated "that he thought it upon the whole one of the most glorious events in the history of mankind. In this assertion, however, he spoke of the *revolution*, not of the *constitution*, which still remained to be improved by experience, and accommodated to circumstances. The Rights of Man, which his right honorable friend had ridiculed as visionary, were the basis of the British constitution. Our statute

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book recognized 'the original inherent rights of the people as men, which no prescription could supersede, no accident remove or obliterate.' These had once been the principles of his right honorable friend, from whom he had learned them. His right honorable friend had said with equal energy and emphasis 'that he knew not how to draw a bill of indictment against a whole people.' Having been taught by him that no revolt of a nation was caused without provocation, he could not help rejoicing at the success of a revolution resting upon the same basis with our own—the immutable and unalienable Rights of Man."

Mr. Burke rose again, and in vehement terms insisted "that he was perfectly in order; and that the discussion of the Quebec bill was a proper opportunity to put the country on its guard against those dangerous doctrines which prevailed in France, and which had found so many advocates here. He observed, that he had differed on many occasions from Mr. Fox, but there had been no loss of friendship between them. But there was something in the ACCURSED French constitution that envenomed every thing."

Mr. Fox, on hearing this, interrupted him, saying, "there was no loss of friendship." Mr. Burke replied, "THERE WAS—he knew the price of his conduct; he had done his duty, and their friendship WAS at an END."

Mr. Fox, on whom the attention of the house was now eagerly fixed, rose to reply, but his feelings were too powerful for utterance. All the ideas so long cherished, of gratitude, esteem, and affection, rushed upon his susceptible and generous mind, and involuntary tears were observed to steal down his cheek. A profound and expressive silence pervaded the house. At length Mr. Fox recovering himself, said, "that however events might have altered the mind of his right honorable friend, for such he must still call him, he could not so easily consent to relinquish and dissolve that intimate connection which had for twenty-five years subsisted between them. He hoped that Mr. Burke would think on past times; and, whatever expressions of his had caused the offence, that he would at least believe such was not his intention."

The concessions of Mr. Fox made no visible impression on the haughty and unbending temper of Mr. Burke; and from this day a schism took place in the politics of the opposition party, productive of very important consequences.

As the most luminous introduction to the principal remaining transaction of this session of parliament, it will be proper now to advert to the actual situation of affairs on the continent. No sooner had Leopold king of Hungary assumed the Austrian sceptre, than he resolved on terminating

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the war with Turkey; and under the powerful mediation of England and Prussia a convention was concluded, August 1790, at Reichenbach, after a negociation of some months protracted in the unavailing hope of retaining possession of Belgrade, that important fortress which, fifty years before, England had exerted her utmost influence to secure to the house of Austria. But now, swayed by Prussian counsels, and eagerly solicitous to advance the interests of that upstart and insolent power, in contradistinction to those of Austria, the antient and genuine ally of Britain, she harshly and peremptorily insisted on its restitution, in common with all the other Austrian conquests—Choczim alone being with difficulty excepted—to the Ottoman Porte. In return, the Austrian Netherlands were guarantied to the house of Austria, and the possession of the Imperial crown eventually ensured to his Hungarian majesty. The Flemings refusing, notwithstanding their present state of abandonment, to return to the Austrian dominion, a great military force was sent into that country in the autumn of 1790, under the command of mareschal Bender, which quickly effected their total reduction, without granting the restitution of their antient privileges; and on the 1st of January, 1791, a solemn *Te Deum* was sung at Brussels in celebration of that happy event. The States of Brabant, through the medium of M. Vandernoodt, had ear-

Convention of Reichenbach. Reduction of Belgium.

nestly requested the interposition of France in support of their claims of emancipation. But the National Assembly, with a moderation approaching even to tameness, persisted for twelve months to remain tranquil and passive spectators, while the Imperial power completed the re-conquest of the Low Countries. Sweden also, disappointed in her views and projects of ambition, thought proper to sign a separate peace with Russia, August 1790, at Varela upon the Kymen, on the basis of the former treaties of Nystadt and Abo.

Peace signed between Sweden and Russia.

The courts of London and Berlin, elated with the success of their mediation at Reichenbach, now in high and arrogant language signified to the empress of Russia their pleasure that peace should be restored between the Ottoman and Russian empires, on the terms of a general restitution of conquests. The empress replied with equal haughtiness, "that she would make peace and war with whom she pleased, without the intervention of any foreign power." Not however choosing too far to provoke the resentment of these formidable and self-created arbitrators, she secretly intimated her willingness to conclude a peace with Turkey, on the condition of retaining the country eastward of the Neister, as a reasonable indemnification for the expenses of the war. This was a waste and desert tract of territory, valuable only for the security it afforded to her former acquisitions, and for in-

Alarming dispute with Russia.

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cluding within its limits the strong and important fortress of Oczakow. This being peremptorily refused, the empress broke off the conference, and determined to prosecute the war.

On the 28th of March, 1791, Mr. Pitt delivered a message to the house of commons from his majesty, importing, "that the endeavours which he had used in conjunction with his allies to effect a pacification not having proved successful, his majesty judged it requisite, in order to add weight to his representations, to make some further augmentation of his naval force." And this message being taken into consideration, Mr. Pitt enlarged much on the necessity of attending to the preservation of the balance of power in Europe. "The influence of the Turkish empire (he said) was of great effect in the general scale. Its present situation was such as to afford just cause of apprehension to other powers: and to PRUSSIA in particular it must be highly injurious to suffer the Turkish empire to be diminished in force and consequence. He therefore moved an address, assuring his majesty that his *faithful commons* would make good such expenses as may be found necessary." This address was opposed with the whole strength and energy of the opposition.

Formidable opposition in parliament, and consequent

Mr. Fox said, "the right honorable mover of the address had enveloped himself in mystery and importance, but explained nothing. When the

balance of power was mentioned as a reason for arming, it ought to be shewn how it was endangered. We had no quarrel with the empress of Russia: we had no alliance with Turkey. But by the absurd pride of interfering in the affairs of every sovereign state, we involved ourselves in continual expense, and were exposed to the perpetual hazard of war. It was to second the ambitious policy of Prussia, and not for any interests of our own, that we were now called upon to arm. The czarina, it was well known, had offered to give up all her conquests but a barren district, unprofitable and worthless except for a single place contained in it, which place was Oczakow. But would any one seriously pretend that the balance of Europe depended upon the trivial circumstance, whether Oczakow should in future belong to the empire of Russia or of Turkey? That this was even with ministers themselves a novel idea was plain; for Oczakow had been taken in 1788, and in 1789 his majesty had assured the parliament and the nation, that the situation of affairs was such as promised us a continuance of peace."—The question was at length carried in favor of the address by 228 to 135 voices.

BOOK XXIV. 1791. retractation of Mr. Pitt.

The prospect of a war with Russia, on these frivolous grounds, gave more dissatisfaction to the public at large than any measure of Mr. Pitt's administration. And on the 12th of April Mr.

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Grey moved, and supported with a very extensive display of knowledge and political ability, a series of resolutions expressive of the impolicy and inexpediency of this measure. On the part of the ministry the importance of Oczakow was magnified to a most ridiculous excess. It was styled the key of Constantinople, whence it led to the acquisition of Alexandria and the Lower Egypt. The success of the ministry in former negotiations was ostentatiously dwelt upon, and the confidence of the house challenged in terms unusually strong and pointed.

Mr. Sheridan with sarcastic keenness asked the minister, "on what basis this confidence was to rest? Did he recollect the different prospect to which we had been directed to turn our eyes in this year? Did he recollect that this was the promised millennium, that halcyon year in which we had been flattered, instead of fresh burdens, with a reduction of expense, and a clear surplus for the extinction of the public debt? The system we had adopted in concert with Prussia was (he said) a system of ambition, of vain glory, and of intrigue, and it had fastened upon us a concern above all others pernicious—that of English interference in German politics. As to the doctrine of confidence in ministers, he totally abjured it. The more constitutional doctrine was that of suspicion and watchfulness. The minister had in-

deed risen wonderfully in his demands. He re- BOOK XXIV. collected the time when he had contented himself with asking only for a guarded and rational confidence. He then advanced to the pitch of a firm and steady confidence: and it was at last grown to a blind and implicit confidence. And it appeared that the degree of confidence required rose in an exact *ratio* to the absurdity of the measure to be adopted." On the division, the effect of the extreme unpopularity of the war without doors, and the ability with which it was exposed and ridiculed within, strikingly appeared, the numbers being 179 ayes to 259 noes. To enter into a war in the face of such a minority was wholly impossible. The point in dispute was instantly and wisely given up by the ministers; Oczakow and its district remained with Russia; and in the course of the ensuing summer (August 1791) peace was concluded and signed at Galatz in the vicinity of Jassi, between the two empires. While that formidable armament was fitting out in the English ports, which was designed to force the empress to a peace with the Turks, the prince of Nassau presented to her a project said to be suggested by a Frenchman, M. de St. Genie, for marching an army through Bocara to Cashmire, and thence to India, in order to expel the English from the continent of Asia. This design, so consonant to the lofty genius and enterprising ambition of the em- 1791.

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press, was received by her with visible marks of approbation, but she contented herself with observing, in reference to the hostile disposition displayed by the British minister; "C'est un ministre de preparatifs, qui ne vient à bout de rien." When in danger of an attack from Sweden, incited by England and Prussia, while her armies were gaining victories on the Danube, she said scornfully to the English ambassador at her court: "Since the king your master is determined to drive me from Petersburgh, I hope he will permit me to retire to Constantinople."* The session of parliament terminated June 10, 1791, his majesty expressing his perfect satisfaction at the zeal with which the two houses had applied themselves to the consideration of the different objects which he had recommended to their attention.

State of affairs in France.

The state of affairs in France, though passed over in total and discreet silence in the speech, was now become very critical. That once popular minister M. Necker, finding his measures thwarted and opposed by the more popular leaders of the Assembly, and equally destitute of the confidence of the court, had sent in his resignation September 1790, and was suffered to retire without one expression of public regret—such is the caprice and inconstancy of the people! Previous

* Tooke's Life of Catherine II.

to his resignation, but certainly not by his advice, a decree had passed the Assembly, imposing an oath upon the whole body of the clergy "to maintain to the utmost of their power the new constitution of France, and *particularly* the decrees relative to the civil constitution of the clergy."

—Civic oath imposed upon the clergy.

By the former decrees of the Assembly relative to the clergy, all connection with the See of Rome, spiritual and temporal, was virtually abolished; and the oath was upon other accounts so obnoxious, that it could not possibly be taken by the majority of the clergy *ex animo*. It was, in fact, productive of the most pernicious consequences. The pope by a bull denounced the sentence of excommunication against those of the clergy who took the civic oath: it was refused by multitudes in the church; and those who submitted to it became, in resentment of the outrage offered to their feelings, far more inimical to the constitution and dangerous to the state than before. A most severe and unjust decree was subsequently promulgated, about the close of the year, by which the non-juring clergy were not only deprived of their benefices, but subjected to heavy penalties for non-compliance; in consequence of which numerous emigrations of that unfortunate class of men took place, and the public animosities were inconceivably heightened. The decree itself was opposed in the Assembly by the principal

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speakers of the *coté droit* with all the force of eloquence and argument. "I do not think (said M. Montlausier) that the bishops can be forced to quit their sees. If they are driven from their episcopal palaces, they will retire to the huts of the cottagers who have fed upon their bounty. If golden crosses be denied them, they will find wooden-crosses—it was a cross of wood which saved the world."—"Would to Heaven (said M. Cazalés) that these walls could expand and hold every individual of the nation assembled! the people of France would hear and judge between us. I tell you that a schism is preparing. I tell you that the whole body of the bishops of France, and a great majority of the inferior clergy, believe that the principles of religion forbid them to obey your decree—that this conviction grows stronger from contradiction, and that those principles are of an order superior to your laws—that expelling the bishops from their sees, and the priests from their parishes, in order to overcome this resistance, is not the way to overcome it. You will be but at the commencement of the course of persecution that lies before you."

Leopold king of Hungary elected emperor.

On the 22d of January, 1791, the king of France communicated to the Assembly a letter from Leopold king of Hungary, now advanced to the dignity of emperor, containing strong protestations of amity towards France, but at the

same time intimating, that, to consolidate that friendship, the revocation of the decree of August 4, 1790, will be necessary; that all innovations in virtue of that decree be abolished, and matters put upon their antient footing. This was the famous decree which annihilated all feudal and seignorial rights, and in the scope of which several of the petty princes of Germany, possessing fiefs in Lorraine and Alsace, were comprehended; and so far as the right of property was affected by the decree, compensations had been offered by the Assembly, and by the dukes of Wirtemberg and Deux-ponts, the princes of Lowenstein, Hohenloe, &c. actually accepted. Others however, incited by the court of Vienna, refused to listen to any terms of accommodation. The conduct, nevertheless, of the National Assembly in decreeing the suppression of the seignorial rights, appeared perfectly regular, and in no respect derogatory to the articles of the treaty of Westphalia, by which Alsace was ceded to France with all the rights of sovereignty appertaining thereto. "*Ad coronam Galliæ pertineant*," such are the express words of this famous treaty, "*cum omnimoda jurisdictione et superioritate supremoque dominio, absque ulla reservatione.*" This just and equitable decree, however, now served as a pretext and cover for the measures in contemplation of the court of Vienna, which had already stationed cordons of troops on the Suabian

Inimical disposition of the court of Vienna.

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frontier, and northward from the circles of the Rhine to the banks of the Meuse. The Assembly, on this occasion, voted a large augmentation of military force, regardless of the intimation of the king, that the emperor had, in this instance, acted merely officially, in conformity to the decrees of the Diet. The king himself did not escape the suspicion of entertaining a private and dangerous correspondence with the imperial court; and he was entreated by the Assembly, formally and explicitly to announce the revolution which had taken place to the different courts of Europe.

That monarch, who well knew how to assume the most specious and imposing air of sincerity, had derived great advantage from the solemn and voluntary declaration which he had, in the month of February last year (1790), made in person to the Assembly, of his perfect approbation of their proceedings, and of the cordiality with which he concurred with them in the arduous task of forming a constitution upon the most solid and extensive basis of freedom. But this measure was well known by those in his confidence to be the result of the most profound dissimulation; and it astonished and highly offended the more generous and virtuous of the royalists themselves. "For how (as M. Bouillé, one of the most distinguished of them, indignantly asks) could he retract such a step thus voluntarily taken, without that degradation of cha-

Treachery of Louis XVI.

racter than which a king can incur no greater misfortune?" In the succeeding month of October (1790), Louis communicated to M. Bouillé the design he had formed, "of quitting Paris, and retiring to one of the frontier towns, where he meant to collect around him such of his troops and subjects as still retained their fidelity. And in case other means should fail, to call in the assistance of his allies, for the restoration of order and tranquillity in the kingdom. The king declared, that with respect to this plan he acted in perfect concert with the emperor, and his other allies, who insisted on his being at liberty before they took any steps in his favor." M. Bouillé, a man of great talents and sagacity, declared himself totally adverse to the project, as fraught with danger, probably with ruin; but he found he had nothing left but to obey. At the latter end of January, 1791, the king notified to M. Bouillé, that he hoped to accomplish his departure from Paris in the month of March or April. But Suspicion has an hundred eyes, which no magic wand is of efficacy to close.*

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* In a letter written about this period, February 3, 1791, by the king to the famous abbé Maury, the monarch highly applauds that bold and undisguised adversary of the newly established constitution, "as possessing the zeal of a true minister of the altar and the heart of a Frenchman of the old monarchy, entirely devoted to the cause of his king.—But learn

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The popular jealousies and discontents, far from being extinguished by an empty parade of words, were in a short time openly and rudely indicated. On the 18th of April, being on the point of setting out from Paris to the palace of St. Cloud, to pass the Easter, or under that pretext, the royal carriage was stopped by an immense crowd of persons, not all of the lowest rank, under the apprehension of an intended escape, and consequent counter-revolution. And notwithstanding the entreaties and protestations of M. de la Fayette, commandant of the national guard, who attended the king's person, and pledged himself for his security, he was finally compelled to desist from his purpose, and return to the Tuilleries: and though, on a complaint of this insult to the Assembly, the president made a respectful apology to the king, it was not thought expedient to revive the design of visiting St. Cloud.

Anxious to regain the ground he had lost, the king, in compliance with the request of the depart-

(says he) to *temporize*. Your king conjures you to make use of that *prudence* which is now become necessary." Under this fatal notion of temporizing it is evident that the king indulged in a habit of boundless dissimulation, which ended in his ruin. And it has been well observed that the Abbé, to whom this advice was addressed, with all his daring, acted a part not only more honorable, but more "*prudent*" and more fortunate.

Vitae Correspondence of Louis XVI.

ment of Paris, which upon this occasion presented a most energetic address to the monarch, dismissed from his person those men who were most notoriously disaffected to the constitution. "Remove, sire, (say they) the enemies of the constitution from about you. Announce to foreign nations, that a glorious revolution has taken place in France; that you have adopted it; and that you are now the king of a free people." Such was the dangerous dissimulation of Louis, that M. de Montmorin was commanded without delay to write, in the name of the monarch, a circular letter, expressed in terms the most popular and captivating, to his ambassadors at the different courts of Europe, "to the end (as it is expressed) that no doubt may remain with regard to his majesty's intentions, his acceptance of the free form of government, and his irrevocable oath to maintain it."

In return, the president of the Assembly waited on his majesty (April 25) with an address of thanks and felicitation for the fresh proof he had given of his regard for the constitution. "For the first time, sire, (said the president) those sacred maxims which announce the rights of man have made their appearance amidst the mysteries of diplomatic correspondence. Strangers shall now learn from yourself, that it was by your aid the French constitution was regenerated, and that you are its guardian, its defender, and its avenger. Seated on

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the first throne in Christendom, you have given the first example of a great monarch proclaiming the liberties of his people to mankind. The present age will be grateful for your patriotism, and posterity will celebrate your triumph. A happy calm has now succeeded to the stormy hopes and fears between which the nation wavered in uncertainty. You have now imposed silence on the detractors of our new constitution. The hydra of faction had a hundred heads, and you have cut off the last of them."

To this the king, with deep hypocrisy, replied: "I am charmed beyond expression at the warmth of esteem which the National Assembly is pleased to express towards me. If they could but read my heart, they would there see sentiments engraved on it that would well justify the confidence of the nation. All distrust would then be banished from their bosoms, and we should all be happy." This, however, was but a transient and fallacious calm; nor was distrust, for a single moment, really banished from their minds. Unhappily the event but too well justified their suspicions. Indeed all attempts to vindicate the sincerity of the king of France, or the reality of his attachment to the constitution, are an insult to common sense:—he finally fell the victim of his own wretched dissimulation. At the very moment in which he was making these protestations, dark and secret in-

trigues were carrying on with the court of Vienna, for the re-establishment of the antient despotism. In a declaration, signed by the emperor at Mantua, May 20th, and immediately transmitted to Paris, information is conveyed to the king and queen, "that the plan concerted for effecting a counter-revolution is in great forwardness, and that 100,000 troops, to be furnished by the several courts of Vienna, Madrid, and Turin, with the aid of the circles of the empire and the Swiss cantons, would be ready to enter France at the latter end of July, to act in conjunction with the regiments remaining loyal, the armed volunteers, and all the mal-contents of the provinces."* Such were the counsels to which this ill-fated and misguided monarch was persuaded to listen, and they terminated as might well be expected—in his destruction.

—His flight from Paris.

On the night of the 20th of June, the king, queen, dauphin, and princess Elizabeth, sister to the king, also the count and countess de Provence, suddenly disappeared. They had, as it was quickly discovered, made their escape, eluding the vigilance of the guard, from the palace of the Tuilleries. Monsieur and Madame took the road to Mons; the rest of the royal family that of Montmedi. The king left behind him a paper, in which he formally revoked all his past oaths and solemn

* Vide Memoires de Moleville.

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declarations, as the effect of compulsory influence, prohibiting the ministers from signing any order, and enjoining the keeper of the seals to send them to him when required in his behalf.

On the first emotions of resentment at the discovery of this event, the king's arms and effigies were taken down and broken by the populace of Paris. A proclamation of the Assembly, however, soon restored order. The royal authority was formally suspended by a decree of the Assembly, and a provisional executive council appointed. The national guard were instantly in arms; and deputations from all the different public bodies appeared at the bar of the Assembly, with the strongest and firmest professions of patriotism and obedience. Scarcely had the first emotions of indignation subsided, when it was announced that the king and queen had been arrested in their progress, at a place called Varennes, near the frontier. They were quickly brought back to Paris, and again quietly consigned to the palace of the Tuilleries. Their entrance into the metropolis, and their slow and mournful procession through the principal streets of the city, exposed to the scornful gaze and bitter taunts of the multitude, formed a spectacle which has been pronounced more humiliating to the pride of royalty than any exhibited to the world since the triumph of Paulus Emilius over Perseus king of Macedon. The queen, whose

morning and meridian way through life had been strewed with roses and myrtles, now appeared to feel the fatal reverse of her fortune with exquisite sensibility; and, perhaps, with a dark and dreadful foreboding of future and still heavier calamities.

On the 27th of June, commissioners from the Assembly waited upon the king, to receive his written declaration respecting the late event. His majesty asserted, "that he had no intention of leaving the kingdom, but meant merely to fix at Montmedi, till the vigor of government should be restored, and the constitution SETTLED." The respect due to majesty was still preserved, but confidence was for ever at an end. It was incontrovertibly proved, that the king had long carried on a secret correspondence with M. de Bouillé, governor of Metz, and commandant of the forces on the German frontier, who had sent a detachment to escort the king to Montmedi—a position to be maintained only by force, and whence, in case of necessity, he could easily retreat to the Austrian territory of Luxemburg. The accidental arrest of the king entirely disconcerted these measures; and M. de Bouillé made his escape into Germany, where he published a furious declaration against the Assembly, calculated only to injure the cause he meant to serve.*

* The emperor Leopold was at Padua when he received the unexpected and unwelcome intelligence of the arrest of Louis XVI. at Varennes. In consequence of this event, the follow-

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In consequence of the repeated perfidies of the king, it was proposed by some of the bolder, per-

ing letter was instantly dispatched to all the different courts of Europe:

CIRCULAR of PADUA, issued July 6, 1791.

Before the king's acceptance of the constitution, France presents to Europe the spectacle of a legitimate king compelled by atrocious violence to fly, solemnly protesting against the concessions which had been extorted from him, and soon after arrested and detained prisoner by the people. His imperial majesty therefore invites the powers of Europe to declare:

"1. That they all regard the cause of his Most Christian majesty as their own.

"2. They demand that the king and his family may be instantly set at liberty, and the inviolability and respect may be observed towards them which the rights of nature and the institutions of man loudly call for from subjects towards their sovereigns.

"3. That they will unite for the purpose of inflicting dreadful vengeance, in case of any future restraint being imposed, or any farther indignity offered to the king or the royal family.

"4. That they will acknowledge no laws to be established in France, unless sanctioned by the voluntary consent of the king in a state of perfect and absolute freedom.

"5. If these proposals are not acceded to by France, that they will employ every means in their power to put an end to the existence of the evil in France, and to prevent its spreading into their own dominions."

This CIRCULAR is noticed and acknowledged in the official letter of prince Kaunitz to M. Blumendorf, envoy at Paris, dated February 17, 1792, which also avows the convention agreed to between Austria and Prussia, at Pilnitz, August 1791. The manifesto of the duke of Brunswic has a specific and unequivocal mention likewise both of the circular letter and conventional treaty.

haps the wiser, members of the Assembly, to declare an abdication, and to place the dauphin on the throne. On the question being agitated in the Assembly, it was asked, what could be done with the king in case of a deposition? to which one of the members replied, "Let him go and keep school at Corinth." But the milder and more moderate counsels prevailed. The king remained at the Tuilleries, vigilantly guarded, till the fabric of the constitution was completed.

On the third of September, the CONSTITUTIONAL ACT was presented to the king, who signified his acceptance of it in writing, September 13; and on the following day he appeared at the Assembly, introduced by a grand deputation of sixty members, solemnly to consecrate the assent he had given; concluding with an oath "to be faithful to the nation and to the law, and to employ the powers vested in him for the maintenance of the constitution."

Dissolution of the National Constituent Assembly.

On the 30th of September (1791) the Constituent National Assembly, after an uninterrupted session of two years and four months, terminated its existence by a spontaneous dissolution; leaving behind it, notwithstanding some human errors and frailties, an illustrious and never-dying fame. Under whatever varying form freedom may subsist in France, the primary establishment of it must doubtless be ascribed to the heroic courage

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and enlightened patriotism of this assembly: and in the emphatic words of the Roman orator it may with propriety be asked, "*Quæ enim res unquam, proh sancte Jupiter! in omnibus terris est gesta major, quæ gloriosior, quæ commendatior hominum memoriæ sempiternæ?*"

In England the anniversary of the revolution in France was again celebrated, not without a certain mixture of indiscretion, considering the lowering aspect of the political horizon in France, contrasted with the brilliant prospect of last year, and the odium it had incurred in consequence of the events which had since taken place in both kingdoms. Party spirit at this period raged throughout England in a more violent degree than had been known since the days of Sacheverel; and in no place more than in the great and opulent town of Birmingham, distinguished by the residence of the celebrated PRIESTLEY, equally famous in the different capacities of philosopher and divine. As a theologian he had signalized himself as the grand restorer of the antient Unitarian system, as maintained at the æra of the Reformation by Socinus and other learned men of the Polish or Cracovian school; and which, refusing divine honors to the founder of the Christian Religion, acknowledged him merely in the character of a teacher and prophet sent from GOD, and demon-

Church and King riots at Birmingham.

strating the authenticity of his mission by *signs and wonders*, which GOD did by him.*

The extraordinary and transcendant ability with which this simple but obnoxious system was vindicated by Dr. Priestley, as the genuine unadulterated doctrine of primitive Christianity, had brought over to his opinions numerous converts, and had excited against him still more numerous enemies. Regarding civil establishments of Christianity as the grand barrier to the propagation of the truth, he had in various publications argued against them with great force, inveighing against the corruptions to which they had given rise, though otherwise of a disposition mild and beneficent, with extreme bitterness and acrimony. He had on all occasions expressed himself on the subject of government as an intrepid and zealous defender of the civil and religious rights of man-

* The system of Unitarianism, previous to its revival by Priestley and his learned co-adjutors, Lindsey, Wakefield, and Jebb, names of distinguished eminence and respectability in the established church, was maintained in this country by NEWTON, LOCKE, and LARDNER—the first the greatest of natural, the second of moral, philosophers; and the last the most profound and illustrious theologian which modern ages have produced. If this were a question to be determined by authority, what authorities has Christendom to boast which merit higher reverence than these? And how can that country escape the imputation of BARBARISM, in which the opinions of such men are still the objects of legal persecution?

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kind; of this he had given a recent proof in a most able and masterly reply to Mr. Burke's famous book on the French Revolution.

It is superfluous to say that he was, under these circumstances, the object of detestation to the bigoted, of wonder to the ignorant, and of dread to the interested and the artful. Every possible artifice having been put in practice to excite the passions of the populace against him, the day of the commemoration of Gallic liberty was deemed a fit occasion to carry the nefarious designs previously concerted into execution. The friends of liberty, assembled for that purpose at an hotel in the town, were, during the dinner, insulted by a furious mob without, shouting, with the occasional intermixture of horrid imprecations, CHURCH and KING! which words, it may be observed, however innocent or venerable in their unconnected state, are, when conjoined, the symbol of all mischief. At five o'clock the company dispersed; but the windows of the hotel were nevertheless broken by the mob, who seemed then inclined to separate.

But this would have been a petty and common revenge. Incited and inflamed anew by their leaders, they bent their course to the chapel where Dr. Priestley usually officiated; this they set on fire, and afterwards proceeded to the Old Meeting, which they demolished in the same manner. At

ten o'clock the mob, now mad with rage and intoxicated with liquor, took the route of Fair-hill, the residence of Dr. Priestley, about a mile distant from the town. Happily the family had notice just sufficient to effect their escape; but the house, furniture, library, and philosophical apparatus, were set on fire, and consumed in their more than Vandalian rage of destruction.* The four following days were employed in the demolition of the elegant houses and villas in the town and its vicinity, belonging to those persons who had chiefly distinguished themselves as advocates in the cause of Gallic liberty, or by their attachment to the religious principles of the great heresiarch, Dr. Priestley.

During this time the magistrates of the place, who were suspected of conniving at the first beginning of this tremendous riot, and who had not read or attempted to read the Riot Act, were struck with terror and consternation; nor was any effectual effort made to check these infamous and disgraceful proceedings—far worse indeed than any disorders that had as yet occurred in the progress of the French Revolution—till the arrival, on the Sunday evening, of three troops of dragoons from Nottingham; in a short time after which, reinforcements daily arriving, order and tranquil-

* "Excidat illa dies ævo, nec postera credant
Sæcula!" STATIUS.

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lity were perfectly restored. Many of the rioters were taken into custody and brought to trial, but three only were capitally punished. Such was the superior lenity of the government on this occasion, contrasted with the rigors of the special commission issued for the trial of the London rioters in 1780, on which occasion thirteen persons were, under the sanction of the lord-president Loughborough, included in the same indictment!

Session of parliament. Flourishing state of the nation.

The latter months of the year passed over in gloomy silence. The parliament was not convened till the 31st of January, 1792. The king announced in his speech "the marriage of his son the duke of York with the princess Frederica, daughter of his good brother the king of Prussia. He informed the two houses that a treaty had been concluded, under his mediation and that of his allies, between the emperor and the Ottoman Porte, and preliminaries agreed upon between the latter of those powers and Russia. The general state of affairs in Europe promised a continuance of peace; and he was induced to hope for an immediate reduction of the naval and military establishments."

The address of thanks and approbation moved by Mr. Charles Yorke, and seconded by sir James Murray, excited some severe animadversions from Mr. Fox, who, in allusion to the cession of Oczakow to Russia, observed, "that it required no

moderate share of assurance for ministers to say to gentlemen who had supported their measures as wise and necessary, 'That which you last session contended for as of the utmost importance, we have now abandoned as of none. Will you have the goodness to move an address approving what we have done?' Mr. Fox thought it extraordinary that, in mentioning the inestimable blessings of peace and order, no notice was taken of the violent interruption of order which had occurred in the course of the summer. At the close of the eighteenth century we had seen the revival of the spirit and practice of the darkest ages. It would have been well if his majesty had spoken of those riots in the terms they merited. They were not riots for bread—they were not riots in the cause of liberty, which, however highly to be reprobated, had yet some excuse in their principle; they were riots of men neither aggrieved nor complaining—of men who had set on foot an indiscriminate persecution of an entire description of their fellow-citizens, including persons as eminent for their ability, as blameless in their conduct, and as faithful in their allegiance, as this or any country could boast."

Mr. Pitt deprecated with warmth the invidious revival of a subject so unpleasant and unprofitable, and wished rather to call the attention of the house to the flourishing condition of the com-

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merce and finances of the nation, of which in a short time he proposed submitting to the house a correct statement. Accordingly, on the 17th of February, the minister, in the course of a most eloquent and animated speech, delineated a picture of national prosperity, more flattering than even the most glowing imagination had ventured to suggest. "The amount of the permanent revenue, with the land and malt duties annexed, from January 1791 to January 1792, he estimated at 16,730,000*l.* being 300,000*l.* more than the aggregate of the preceding year. The permanent expenditure, including the interest of the debt, the annual million applied towards its extinction, the civil list, and the military and naval establishments, he calculated at 15,810,000*l.* leaving a clear surplus of more than 900,000*l.* In this state of things he thought himself authorized to propose the repeal of a part of the more burdensome taxes, to the amount of about 200,000*l.* per annum; and at the same time to apply the sum of 400,000*l.* to the reduction of the national debt, in aid of the annual million appropriated by parliament. This would still fall far short of his estimate of the national ability, and there was good ground to believe that we had not reached by many degrees the summit of our prosperity. When the debentures to the American loyalists should be discharged, which would happen in about four years, an addi-

tion of near 300,000*l.* would accrue to the revenue. In consequence of the general improvement of credit, the three-per-cents. would soon rise so high as to enable the parliament to effect a reduction of the four, and, as soon as by law redeemable, of the five-per-cents. which would add the sum of 700,000*l.* or little less, to the sinking fund. The indefinite additions which might be expected from the increasing produce of the existing taxes, the result of our rapidly increasing commerce, must mock all calculation. Our exports had risen one-third in value since the year 1783, *i. e.* from 14,741,000*l.* to 20,120,000*l.* and our internal trade had increased in at least an equal proportion. Thus shall we be enabled to make a swiftly accelerated progress in the essential work of liquidating the national debt, and in a very short space of time to reach a point which perhaps not long since was thought too distant for calculation. On the continuance of our present prosperity it is indeed impossible to count with certainty; but UNQUESTIONABLY there never was a time when, from the situation of Europe, we might more reasonably expect a durable peace than at the present moment." After developing with much ability and sagacity the hidden but operative springs of the returning prosperity of the country, the minister concluded with the following memorable words: "From the result of the whole I

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trust I am entitled to infer, that the scene which we are now contemplating is not the transient effect of accident, not the short-lived prosperity of a day, but the genuine and natural result of regular and permanent causes. The season of our severe trial is at an end; and we are at length relieved, not only from the dejection and gloom which a few years since hung over the country, but from the doubt and uncertainty which, even for a considerable time after our prospect had begun to brighten, still mingled with the hopes and expectations of the public. We may yet indeed be subject to those fluctuations which often happen in the affairs of a great nation, and which it is impossible to calculate or foresee; but as far as there can be reliance on human speculations, we have the best ground from the experience of the past to look with satisfaction to the present, and with confidence to the future. *Nunc demum redit animus, cum non spem modo ac votum securitas publica, sed ipsius voti fiduciam et robur assumpserit.*" Such were the brilliant hopes which the nation was at this moment of exultation taught to indulge, and with such dazzling splendor rose the morn of a year destined to set in darkness, calamity, and blood!

The papers relative to the Russian armament being laid on the table, Mr. Grey noticed several material omissions, and an entire chasm in the cor-

respondence from October 31, 1790, to May 26, 1791, and moved "that the papers thus withheld be laid before the house." Mr. Pitt affirmed, that the papers called for by Mr. Grey were highly improper to be produced. He did not think it consistent with good policy to disclose circumstances which might endanger the situation of our public alliances; and again urged the necessity of confidence in the executive government. Mr. Fox indignantly replied, "that the confidence of the nation was placed in their representatives; and if those to whom they had given their confidence should transfer that confidence to the minister, they were *betrayed* not represented. As to this pretended necessity of confidence, there need be nothing secret where there was nothing wrong; yet pending the negotiation with Russia they were kept in the dark, and, by a climax in confidence, when the negotiation was terminated, they were still denied information." In the course of the debate it was forcibly observed, in allusion to the projected war with Russia, "that it would require more eloquence even than that which had been lately employed in describing the prosperity of this country, to justify a measure which put its prosperity so much to the hazard."

Mr. Whitbread's motion of censure respecting Russia.

On the evidence of the papers actually produced, and the facts publicly ascertained, Mr. Whitbread on the 27th of February (1792) moved a resolu-

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tion of censure on the ministers, importing "that Oczakow was not an object of sufficient importance to justify the armed interference of this country." Mr. Whitbread said, "it was the most self-evident of all propositions, that no arrangement affecting Oczakow could in any way affect the political or commercial interests of Great Britain. We exported nothing thither, we imported nothing from it: the ostensible cause of the dispute, therefore, could not be the real cause. There was ground to believe the existence of a secret negotiation, by which Prussia flattered herself with the hope of obtaining Dantzic and Thorn as a compensation for permitting the empress of Russia to retain possession of Oczakow. It appeared that the empress had, so early as December 1789, requested the interference of Great Britain to effect a peace, upon the terms of extending her frontier to the Niester, and erecting the provinces of Moldavia, Bessarabia, and Wallachia, into an independent principality under a Christian prince. These terms were refused by the court of London, and the empress was told that no attention would be paid to any terms not resting upon the basis of a *status quo*. At length after blustering, threatening, and arming, came the humiliating memorial of the 29th of June, 1791, which at once conceded all that we had negotiated, threatened, and armed, to obtain."

The motion was ably supported by Mr. Grey, who remarked, "that since the affair of Holland the minister had become intoxicated with power, and fancied he could parcel out kingdoms and provinces at his pleasure. He seemed as much delighted with this idea as Don Quixote with books of chivalry, and amused himself with curvetting in this court, prancing in that, menacing here, vaunting there—in a word, out-Heroding Herod."

Mr. Fox took a comprehensive view of the question, and dwelt with much energy and effect on the folly of making Oczakow a primary object of negotiation, and the inconsistency and disgrace of its subsequent abandonment. "Oczakow (said he) was every thing by itself; but when ministers added to Oczakow the honor of England, it became nothing. Oczakow and honor weighed nothing in the scale. Honor is, in the political arithmetic of ministers, a *minus* quantity to be subtracted from the value of Oczakow. Against the vain theories of men who project fundamental alterations upon grounds of mere speculative objection, the constitution may be easily defended; but when they recur to facts, and shew me how we may be doomed to all the horrors of war by the caprice of an individual, who will not even condescend to explain his reasons, I can only fly to this house, and exhort you to rouse from your lethargy of confidence, into the active mistrust

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and vigilant control which are your duty and your office." On the division there appeared for the question 116, against it 244.

A motion similar to that of Mr. Whitbread was nearly at the same time made by earl Fitzwilliam in the Upper House. It was opposed by the lords Grenville and Hawkesbury, the latter of whom threw much light on the real motives of the late interference, by expatiating largely on the *ingratitude* of Russia, and the injurious conduct of that power during *the late war*; and it evidently appeared, by the language of this secret adviser of public measures, that the ARMED NEUTRALITY of the empress, although twelve years had passed since the date of it, was not yet forgotten or forgiven. And lord Carlisle did not therefore express himself with perfect accuracy, when, in reviewing the political objects of the armament, his lordship said, "he believed they might ALL be resolved into the endeavour to obtain for Prussia *Dantzic* and *Thorn*." Lord Rawdon declared the conduct of ministers to be extremely culpable. "Prying into every cabinet of Europe, where they found amity they sowed discord; and where the spark of contention existed they had blown it into a flame. Of all the wretched policy of petty statesmen, (said his lordship) the most contemptible is that which threatened all and performed nothing." Lord Loughborough observed, "that it was a

matter of the most serious consideration, by what fatality it was that year after year we were thus to be involved in dispute with every power in every quarter of the world. The horrid spirit of insolence and ambition which had sprung up in his majesty's councils, hurried them into excesses which must terminate in the ruin of the empire. The magnanimous declaration of the National Assembly of France, that they would for ever avoid wars of aggrandisement or conquest, ought to have suggested to us a more wise and elevated system than that which we had lately pursued." The motion was negatived by a majority of 82 to 19 voices.

On a general review of the whole subject, no existing ground either of immediate or remote interest is perceivable, on which to rest a rational vindication of the British ministry in the conduct of this business. It can never be the interest of England to exalt the house of Brandenburg in contradistinction to the house of Austria; for it is the clearest of all political axioms, that the Imperial power only can oppose a firm and permanent barrier on the continent against the aspiring views of France, whether acting under a free or despotic form of government—And the policy of Mr. Pitt in 1790 was diametrically opposite to that of sir Robert Walpole in 1740, when mediating the peace of Belgrade. Also supposing the empress of Russia

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to have succeeded in the ultimate object of her ambition—the subversion of the Ottoman throne in Europe, and the re-establishment of the Byzantine empire in the person of her grandson prince Constantine—it is impossible to discern how the interests of the British empire, or of the world at large, could be injured by such a revolution. A prodigious majority of the inhabitants of European, and even of many extensive provinces of Asiatic Turkey, are Christians of the Greek communion, who still remain a people as distinct from their barbarous conquerors as in the times of the Solymans and the Amuraths. However at present on the wane, little more than a century has elapsed since the Turkish moons were displayed before the walls of Vienna; and all Christendom seemed in danger of falling a prey to the resistless rage of those relentless invaders. No event in modern ages gave so great an alarm as the capture of Constantinople by Mahomed II.; and the prospect of wresting from the oppression of these barbarous infidels the beautiful regions which have so long groaned under the Ottoman yoke must, in an abstracted view, be regarded as matter of triumph, not of apprehension or regret.

The memorial presented by the Greek deputies to the empress Catharine exhibits a striking and affecting picture of their situation. "Deign, (say they) O great empress! glory of the Greek faith!

deign to read our memorial. Heaven has reserved our deliverance for the glorious reign of your imperial majesty. It is under your auspices that we hope to rescue from the hands of barbarous Mahommedans our empire which they have usurped, and our patriarchal and holy religion which they have insulted—to free the descendants of Athens and Lacedæmon from the tyrannic yoke of ignorant savages, under which groans a nation whose genius is not extinguished, a nation which glows with the love of liberty, which the iron yoke of barbarism has not vilified, which has constantly before its eyes the images of its antient heroes, and whose example animates its warriors even to this day.—Our superb ruins speak to our eyes, and tell us of our antient grandeur. Our innumerable ports, our beautiful country, the heavens which smile upon us all the year, the ardor of our youth, and even of our decrepid elders, tell us that nature is not less propitious to us than it was to our forefathers.—Give us for our sovereign your grandson Constantine—it is the wish of our nation; the family of our emperors is extinct; and we shall become what our ancestors were."

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"When one nation (says a well-informed eastern traveller) conquers another, and they become incorporated by having the same rights, the same religion, the same language, and by being blended together by intermarriages, a long series of years

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renders them one people. Who can in England distinguish the aborigines from the Romans, Saxons, Danes, Normans, and other foreigners? They are all Englishmen.—The Greeks were conquered by the Turks; but they were attacked, like all other nations they conquered, without provocation. It was not a war for injury or insult, for jealousy of power or the support of an ally—it was a war having for its end conquest, and for its principle a right to the dominion of the whole earth. The conquered were never admitted by the Turks to the rights of citizens or fellow subjects, unless they abjured their religion and their country. They became slaves; and as, according to their law, the Turks have a right at all times to put to death their prisoners, the conquered and their posterity for ever are obliged annually to redeem their heads by paying the price set on them. They are excluded from all offices in the state. It is death for a conquered Greek to marry a Turkish woman. They are in every respect treated as enemies. They are still called and distinguished by the name of their nation; and a Turk is never called a Greek, though his family should have been settled for generations in that country. The testimony of a Greek is not valid in a court of judicature when contrasted with that of a Turk. They are distinguished by a different dress. It is death to wear the same apparel as a Turk. Even their houses

are painted of a different colour. In fine, they are in the same situation they were the day they were conquered—totally distinct as a nation; and they have therefore the same right now as they had then to free themselves from the barbarous usurpers of their country, whose conduct to all the nations they have conquered merits the eternal execration of mankind."*

The intention of the empress of Russia respecting her grandson prince Constantine is scarcely to be doubted. At his birth he was put into the hands of Greek nurses fetched on purpose from the Isle of Naxos. He was always dressed in the fashion of the Greeks, and surrounded by children of that nation, that he might acquire the Greek language, which he soon spoke with great facility. It was also in regard to him that the cadet corps of two hundred Grecian youths was established.†

Although it appeared by the event of the motion of Mr. Wilberforce in the preceding session, that the enthusiasm of parliament on the subject of the slave-trade had greatly subsided, that of the public at large was nevertheless increasing, and it had now attained its highest pitch. The table of the house of commons was covered with petitions from all parts of the kingdom, imploring in ear-

* Eton's "Survey of the Turkish Empire."

† "Life of Catharine II." by Tooke.

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nest language the abolition of that iniquitous and inhuman traffic.

Mr. Wilberforce's second motion of abolition.

On the 2d of April (1792) the house resolved itself into a committee on the slave-trade, at the instance of Mr. Wilberforce, who moved, at the close of a very able speech, a second time the question of abolition. Mr. Wilberforce declared, "that from his exertions in this cause he had found happiness, though not hitherto success. It enlivened his waking and soothed his evening hours, and he could not recollect without singular satisfaction that he had demanded justice for millions who could not ask it for themselves—AFRICA! AFRICA! (he exclaimed with passionate emotion) your sufferings have been the theme that has arrested and engages my heart. Your sufferings no tongue can express, nor no language impart." Mr. Wilberforce was powerfully supported by many of the most respectable members of the house; amongst whom Mr. Whitbread particularly distinguished himself by the energy and animation of his remarks. "It was the necessary quality of despotism (he said) to corrupt and vitiate the heart: and the moral evils of this system were still more to be dreaded than the political. But no mildness in practice could make that to be right which was fundamentally wrong. Nothing could make him give his assent to the original sin of delivering man over to the despotism of man It was too degrad-

ing to see, not the produce of human labor, but man himself, made the object of trade."

In consequence of the ardor displayed by the nation at large in this business, it was at length determined partially to concede what it was now become difficult, perhaps dangerous, wholly to withhold. Mr. Dundas, advanced to the dignity of secretary of state by the resignation of the duke of Leeds—and the organ of the interior cabinet in the house of commons—now therefore, after a plausible speech recommending to the house the adoption of a middle and moderate plan, such as would reconcile the interests of the West-India islands with the eventual abolition of the trade, thought proper to move that the word "gradual" might be inserted before "abolition."

Mr. Pitt, who had invariably supported the measure of abolition, not as a minister merely, but, to appearance at least, as a man feeling for all mankind, declared his decided disapprobation of the amendment proposed by his right honorable friend; and, in a speech fraught with argument and eloquence, conjured the house not to postpone even for an hour the great and necessary work of abolition. "Reflect (said Mr. Pitt) on the 80,000 persons annually torn from their native land! on the connections which are broken! on the friendships, attachments, and relationships, that are burst

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asunder! There is something in the horror of it that surpasses all the bounds of imagination. How shall we repair the mischiefs we have brought upon that continent? If, knowing the miseries we have caused, we refuse even now to put a stop to them, how greatly aggravated will be the guilt of Britain! Shall we not rather count the days and hours that are suffered to intervene and to delay the accomplishment of such a work? I trust we shall not think ourselves too liberal if we give to Africa the common chance of civilization with the rest of the world. If we listen to the voice of reason and duty, and pursue this night the line of conduct which they prescribe, some of us may live to see a reverse of that picture from which we now turn our eyes with shame and regret. We may live to behold the natives of Africa engaged in the calm occupations of industry, in the pursuits of a just and legitimate commerce. We may behold the beams of science and philosophy breaking in upon their land, which, at some happy period in still later times, may blaze with full lustre; and, joining their influence to that of pure religion, may illuminate and invigorate the most distant extremities of that immense continent. Then may we hope, that even Africa, though last of all the quarters of the globe, shall enjoy at length in the evening of her days those blessings which have

descended so plentifully upon us in a much earlier period of the world— BOOK XXIV. 1792.

—— Nos primus equis oriens afflavit anhelis;
Illic sera rubens accendit lumina vesper.

"In this view, as an atonement for our long and cruel injustice towards Africa, the measure now before the house most forcibly recommends itself to my mind. The great and happy change to be expected in the state of her inhabitants is, of all the various and important benefits of the abolition, in my estimation incomparably the most extensive and important." Thus nobly could Mr. Pitt at times redeem his errors and deviations from rectitude, and appear still anxious to preserve a place in the esteem of the wise, and affection of the good. The amendment of Mr. Dundas was nevertheless carried on the division by a majority of 68 voices. On which he subsequently moved, "that the importation of negroes into the British colonies should cease on the 1st of January 1800." This, on the motion of lord Mornington, was, after great difficulty and debate, altered to January 1, 1796. A series of resolutions founded on this basis were then agreed to, and sent up for the concurrence of the lords.

Insidious conduct of the house of lords.

But these resolutions were fated to meet with a very cold reception in the upper house, and from a large proportion of their lordships a most determined opposition. As this was a favorite measure

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with the nation, and had indeed been supported in a peculiar manner by the *voice of the people*, they were highly and justly offended to see the duke of Clarence, third son of the king, commence his career of public life with a violent declamation against the abolition, and invective against its advocates, whom he falsely and foolishly represented as actuated by the spirit of political and religious fanaticism. With a view to protract, and, if possible, to dismiss the business, the lord chancellor moved, "that evidence be heard, not before a select committee, according to the proposition of lord Grenville, but at the bar of the house." This was seconded by lord Hawkesbury, the well-known and inveterate enemy of the abolition; of whom it has been affirmed with the utmost bitterness of sarcasm, "that, in despite of the habitual fraud and falsehood of his character, he is earnest and sincere in his contempt of virtue and hatred of freedom." The motion being carried, the house slept over the business during the remainder of the session. The majority of the peers were with indignation perceived by the zealous friends of the abolition, to be decidedly hostile to the measure. It afforded indeed a reflection shocking to humanity, to see men upon whom providence had lavished its choicest favours, who possessed all that the earth traversed from pole to pole could furnish to render existence delightful, eager to

compel millions of their fellow-creatures, wretches whose souls were lacerated with anguish, to drink the cup of misery to the dregs, and to prevent the infusion of a single drop of the balm of consolation!

Mr. Fox's motion for a repeal of the penal laws.

Mr. Pitt having, in his speech on the motion for the repeal of the Test, avowed, in the most unequivocal and *unguarded* terms, the right of the dissenters to a full and complete toleration, Mr. Fox embraced the opportunity of bringing forward in the course of this session a motion for the repeal of those penal statutes, which, notwithstanding the existence of the Toleration Act, were still in force against those who in any manner impugned the doctrine of the TRINITY. He shewed, from a specification of authentic facts, that these laws were far from being a mere dead letter; not to mention the hatred and opprobrium which they were the means of creating. Such was the wretched bigotry fostered and cherished by these laws, that a bishop of the church (Dr. HORSELEY) had not scrupled in a recent publication to declare "that, Unitarianism being *heresy*, even the moral good of the Unitarians was sin." Mr. Fox expressed his ardent wish to extirpate heresy by *fire* —not indeed in the old mode of burning heretics, but by burning all those statutes which formed the code of persecution. Mr. Pitt appeared on this occasion somewhat embarrassed, and rested

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his opposition chiefly on the disuse and oblivion into which the acts in question had fallen, and the dangerous alarm which might be excited by the repeal—disclaiming in warm terms the principles and character of a persecutor. Mr. Fox, in reply, remarked, that he knew not how to distinguish between a persecutor and an advocate for penal laws in matters of religion, which was the precise definition of the term. As to the general alarm, of which Mr. Pitt was apprehensive, it was the bitterest satire upon the spirit of his own administration, to suppose the temper of the public so fatally changed as not to endure the repeal of laws so execrable, and, till a recent period, so generally the subject of execration. Mr. Fox's motion was rejected by a majority of 79 voices.*

* Those who recollected the noble enthusiasm displayed by the father of the present minister in the cause of religious liberty, viewed the conduct of Mr. Pitt on this occasion with mingled emotions of grief and indignation. In a letter addressed, January 1773, to the celebrated Dr. Price, that venerable patriot thus expresses himself: "In writing to you it is impossible the mind should not go of itself to that most interesting of all subjects to fallible man, TOLERATION. Be assured, that on this sacred and unalienable right of nature and bulwark of truth, my warm wishes will always keep pace with your own. Happy if the times had allowed us to add *hopes* to our wishes!" Here we see the sentiments of the most virtuous of philosophers corroborated by those of the most illustrious of statesmen.

Advanced to the highest dignity of the state at the premature age of twenty-three, Mr. Pitt had never, auspicious as were the circumstances of his birth, education, and entrance into public life, *deeply imbibed* the genuine principles of Whiggism. Favoured by fortune, from the very commencement of his political career, in a manner the most extraordinary and unprecedented, he attributed too much to himself, and too little to foreign and fortuitous circumstances. He contracted therefore a dangerous contempt for mankind; and, depending with vain confidence upon his superior ability to vanquish those difficulties which might eventually arise, he appears never to have attained to a just comprehension of those grand moral and intellectual axioms upon the diligent observance of which the welfare and prosperity of nations depend.

1792. Mr. Pitt's total dereliction of the principles of Whiggism.

On the 21st of May Mr. Whitbread brought forward a motion of enquiry on the subject of the Birmingham riots. He introduced this motion by an excellent speech, containing a copious statement of the facts and circumstances which led to a suspicion that the magistrates had been most culpably remiss in their duty on this occasion; and even that ministers had been negligent in their exertions for the suppression of those disorders. Mr. Whitbread referred the house to the proceedings of a former house of commons, who, on a

Mr. Whitbread's motion of enquiry into the Birmingham riots.

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similar occasion, A. D. 1716, had addressed the king (Geo. I.) in terms expressive of the utmost indignation and abhorrence of the spirit which had incited those atrocious outrages; and requesting that full compensation might be made to the sufferers. Mr. Whitbread insisted on the disgrace which England would incur in the view of Europe, if a man, who had done so much honor to his country by his philosophical and literary talents, as Dr. Priestley, should fail to obtain a signal reparation for the injuries he had sustained. "Should he (said this animated speaker) by the spirit of persecution, be compelled to abandon his native soil, there is no nation which would not be ready and eager to afford him an asylum. He can go to no country where his fame has not gone before him." Mr. Whitbread said, "he knew that toleration was the language in fashion; but it was very easy for men to have toleration on their lips, and persecution in their hearts." Mr. Secretary Dundas, in reply, vindicated the government very satisfactorily from the suspicion of not having exerted themselves to the utmost in quelling riots. He said, "that government did not prosecute the magistrates who were charged with neglect of duty, because the attorney-general was of opinion that there was no probability of conviction, and an ineffectual prosecution might be attended with very disagreeable consequences." Mr. Whit-

bread's motion was ably supported by Mr. Smith and Mr. Windham, but more particularly by Mr. Grey, in an admirable speech, well deserving deep and permanent attention.

In answer to some harsh reflections of Mr. Dundas on the recent conduct of the dissenters, Mr. Grey thus nobly and eloquently expressed himself: "I do not, sir, stand here as the professed advocate of the dissenters; but while we exclaim against the rash and intemperate language of some amongst the dissenters, let us impartially and seriously ask ourselves, if no just cause has been given to them of discontent or of resentment? It is well known, that the dissenters have ever distinguished themselves as the zealous advocates of the glorious Revolution—that they have been always numbered amongst the most firm and steady adherents of the Protestant succession and of the illustrious house of Hanover, when that succession was supposed with reason to be in danger, and at a time when the reigning family did not depend upon the CHURCH as its chief bulwark and support. Conscious of their fidelity and attachment to the government under which they lived—an attachment which the circumstances of the times afforded them frequent and decisive occasions to demonstrate—exercising under the express sanction of the state their inherent right of private judgment in religion—they at length applied to the legislature to

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be restored to the privileges of citizens, of which they had been so long unjustly divested. When this claim was refused with every circumstance of indignity and insult—when they were branded as the implacable enemies of the state—when they were reproached, notwithstanding their uniformly peaceable demeanour, as seditious and factious hypocrites—when the ridiculous and obsolete Tory clamor was revived, that the CHURCH *was in* DANGER—when we were told 'that the extent of their loyalty might be measured by the blood of a king'—can we wonder that they should discover the passions and feelings of men?—that anger should beget anger?—that in the collision of zeal against zeal the voice of reason should be overborne and lost? Are we really desirous of establishing universal and permanent content and satisfaction? The experience of all ages shews that the only effectual mode is to annihilate all legal oppression. While the spirit of intolerance predominates in the councils of any country, there will necessarily be discontent, resentment, and anger. And it is in vain to expect to obviate the evil consequences of such a system, or to re-establish the general tranquillity, by adding contumely to oppression, or by an attempt to defend injustice by falsehood. We are ourselves zealously attached to the constitution, because we enjoy in their full extent the privileges and immunities derived from

it. But what right have we to expect the same attachment from those who are excluded from these privileges? Though to us the constitution is the object of affection and reverence, to them whom it injures and oppresses it is an odious and tyrannic constitution. Wherever political partialities prevail, and political distinctions are injuriously admitted, there political animosities will be excited. Such is the nature of man: and of this we may rest assured, that equity is the only safe and permanent basis of policy; and, till we determine to regulate our conduct by this principle, discontents and animosities must and will prevail. And the disorders and commotions which we now lament are the genuine offspring of that policy, to which, unhappily for our peace and security, we are still resolved to adhere." The motion was finally negatived by a great and decisive majority.

Mr. Fox's bill for ascertaining the rights of juries revived, and passed into a law.

The Libel Bill introduced in the last session by Mr. Fox, and which was lost in the house of lords, was this session triumphantly carried through both houses, and passed into a law—notwithstanding the pertinacious opposition of the law lords, Thurlow, Kenyon, and Bathurst. The marquis of Lansdown sarcastically observed in the debate, "that he did not blame lawyers for making a stand against the present bill. It was well worth a struggle on the part of the profession. It was a proud ambitious profession, desirous of obtaining

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power over all. And if the noble lord at the head of the King's Bench could overthrow it, as his lordship had studied politics as well as law, he would reign lord-paramount of England." The law lords joined in a protest against the bill, which will remain as a perpetual monument of the triumph of common sense over legal and professional subtilty. Lord Camden, whose genius rose on all occasions superior to the prejudices and artifices of his profession, particularly distinguished himself in the debate by the animation and ability which, in no respect diminished by the winter of age, he displayed in the vindication and final establishment, in times dark and inauspicious to liberty, of a doctrine he had early and zealously espoused; and this may be regarded as the concluding effort of a long life rendered illustrious by the practice of every public and private virtue.* More than twenty years previous to this event, that able and upright senator and patriot Mr. Dowdeswell had introduced a bill into the house of commons for ascertaining the rights of juries, substantially the same with the present bill of Mr. Fox. It was, on a division, thrown out by a prodigious majority. But the friends of liberty never lost sight of this great and interesting question, and by the most unwearied and meritorious perseverance they at length happily attained their object.

* Lord Camden died April 18, 1794.

Another point was also gained during this session in favor of the general system of freedom, by a bill introduced into the house of peers by lord Elgin, for the relief of the Scottish episcopalians, who had long been subject to heavy penalties on the original ground of notorious disaffection to the Revolution establishment. But, like other *high-flying* and Jacobitical Tories, they were now become most conspicuous for loyalty amongst the loyal. An objection however was started by the lord-chancellor, whether, according to a clause in the present bill, specifying the description of persons to be relieved, the state could with propriety recognize the validity of ordination by the bishops exercising their functions independent of the state. And, in his profound knowledge of ecclesiastical antiquity, his lordship ventured even to intimate his doubts, whether bishops could *exist* in any Christian country not authorised by the state. But his lordship being assured by the bishop of St. David's, who spoke in favour of this "afflicted part of the Church of Christ," that Christian bishops *existed* three hundred years before the happy alliance between church and state took place under the auspices of the emperor Constantine the Great, his lordship was pleased to declare himself satisfied; and the bill passed without any farther opposition.

Act for the relief of the Scottish episcopalians.

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In consequence of the spirit of discontent, and even of disaffection, by which a considerable proportion of the community seemed at this period to be animated, and which had given rise to various political associations of an alarming nature, and in which ideas of government reform were carried to a visionary and dangerous extreme, it was thought proper by many of the most distinguished advocates of constitutional liberty, about this period, to institute a society under the name of the "Friends of the People," for the sole purpose of effecting a reform in parliament, on the principles so often stated and so ably enforced by Mr. Pitt and other judicious patrons of reform, presuming that all other necessary and beneficial reforms would follow in safe and regular gradation. About thirty members of parliament entered their names as members of this association, which also comprehended many of the most eminent characters in the kingdom, whether in respect of political or literary ability. It is remarkable, that this most useful and laudable association, this broad and lofty mound thrown up for the defence of the constitution against the rage of republican innovation, seemed to excite more the alarm of the government than all the other associations united. And when Mr. Grey, himself a member of the new society, gave notice of his intention to move, in

Society of the Friends of the People instituted.

the course of the ensuing session, for an enquiry into the state of the representation, Mr. Pitt rose with unusual vehemence to declare "his total disapprobation of introducing, at a period so critical and dangerous as the present, a discussion of such difficulty and importance. This he affirmed was not a time for experiments; and if he was called upon either to risk this, or for ever to abandon all hopes of reform, he would say he had no hesitation in preferring the latter alternative. He saw with concern the gentlemen to whom he alluded virtually united with others who professed the reform of abuses, and meant the subversion of government."—The expediency and policy of timely and temperate reform were on the other hand powerfully argued by the friends of the projected motion. "As to the obnoxious allies of the late associators, (Mr. Fox said) the objection might be completely retorted, by asking the minister 'Whom have you for your allies?' On the one part there are infuriated republicans, on the other the slaves of despotism. The first are the rash zealots of liberty, the latter its inveterate and determined foes." The consternation of the ministers evidently appeared by a ROYAL PROCLAMATION almost immediately issued against the public dispersion of all seditious writings, and against all illegal correspondences—exhorting the magistrates to vigilance, and the people to submission and obedience.

Royal proclamation for the suppression of sedition.

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This proclamation being laid before the house (May 25), and an address moved of approbation and support, it was opposed by Mr. Grey with much warmth, and the proclamation itself condemned in severe terms as a measure insidious and pernicious. The "diligent enquiry enjoined by the proclamation after the authors and distributors of *wicked and seditious writings* could only tend to establish an odious and arbitrary system of ESPIONAGE. This was the system which had made the old government of France so much the object of general detestation, and it was a system unworthy of the sovereign of a free people to recommend. Mr. Grey strongly intimated his belief, that the real object of the proclamation was merely to discredit the late association in the view of the public."

This Mr. Pitt disclaimed in very explicit terms, and expressed his high respect for many of the members of the association in question, declaring "that he differed from them only in regard to the time and mode which they had adopted for the attainment of their object. The association in question (he said) did not come within the scope and purview of the proclamation, which was levelled against the daring and seditious principles which had been so assiduously propagated amongst the people, under the plausible and delusive appellation of the Rights of Man." The address was

finally carried without a division, and, receiving the concurrence of the upper house, was presented in form to the king. It was followed by addresses from all parts of the kingdom: and the ministry, finding their strength, commenced prosecutions against a prodigious number of offenders, amongst whom Thomas Paine stood most conspicuous. Notwithstanding the professional ability of Mr. Erskine, whom he had engaged as his advocate, he was found guilty of the charge; but foreseeing the probability of this event, he had previously absconded to France.

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Prosecutions for sedition.

Among various other remarkable trials, those of Daniel Holt and William Winterbotham seem peculiarly to challenge the specific notice of history. The former, a young man and printer at Nottingham, was convicted of the crime of republishing, *verbatim*, a political tract written ten years before by major Cartwright, and then circulated with great applause by the society for constitutional information. This prosecution was followed by imprisonment, ruin, and premature death. The latter, a dissenting teacher at Plymouth, of virtuous and highly respectable character, was convicted of *sedition*, and sentenced to four years' imprisonment in the gaol of Newgate, for two sermons preached in commemoration of the Revolution of 1688. The indictment charges him with affirming "that his majesty was placed upon the throne upon con-

Trials of Holt and Winterbotham.

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dition of keeping certain laws and rules—and if he does not observe them, he has no more right to the crown than the Stuarts had." All the Whigs of the kingdom might doubtless have been comprehended in the same indictment. And if the doctrine thus affirmed be denied, the monstrous reverse of the proposition follows, that the king is bound by no conditions or laws; and that, though resistance to the tyranny of the Stuarts might be justifiable, resistance in the same circumstances to the house of Brunswic is not. This trial, for the circumstances of cruelty and infamy attending it, has been justly compared to that so celebrated of Rosewell, in the latter years of Charles II. to which the present times exhibit in various respects a most striking and alarming parallel. Certain it is, and it would be disingenuous and deceitful to deny or disguise the fact, that the perpetual misconduct of government during the present reign, the misfortunes and miseries by which it has been characterised, its follies, its vices, and its crimes, have given occasion to a new and very serious investigation of the principles of the British constitution; and amongst men of philosophic reflection may be discerned a great abatement of that enthusiastic ardor with which they once were in the habit of speaking and thinking of a form of government which has been found, by fatal experience, not incompatible for a long series

of years with the grossest neglect or perversion of those ends for which government is alone instituted. And a strong speculative predilection has unquestionably arisen in the minds of many for a republican form of government, in preference to any form of monarchy. But, before any inference is drawn to the prejudice of the British constitution, that constitution ought to be restored to its genuine and original principles: and then there is good ground to believe, that by far the greater part of the evils now experienced, and which are so justly the subject of complaint, would instantly vanish. Among the most palpable and pernicious of the existing abuses must undoubtedly be reckoned the enormous and overwhelming influence of the crown—the inequality of the national representation—the long duration of parliaments—the rapid and monstrous increase of the national debt and taxes, and of the civil and military establishments—the oppression, absurdity, and iniquity connected with the present ecclesiastical system—the municipal tyranny exercised over the poor, under cover of the poor laws, originally intended and calculated for their relief and protection—the amazing multiplicity of superfluous places, pensions, sinecures, and lucrative appointments, by which individuals are aggrandized and enriched at the expense and to the impoverishment of the public. When these evils are remedied, the constitu-

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tion of Great Britain will have a fair trial; and the beneficial effects it has in itself a tendency to produce will be fully ascertained. But, till this happy period arrives, all reflections on monarchical government in reference to England can be applicable, not to the genuine and unadulterated constitution of the country, but to the present deformed and destructive system of administrative government.

State of affairs in India.

The attention of parliament towards the conclusion of the session was forcibly drawn to the situation of India—for some time past involved in a general war, the origin and progress of which it may be proper concisely to explain. From the æra of the peace of Mangalore, concluded by the Company with Tippoo Saib in 1784, the power of that prince had been regarded as very formidable. He was avowedly and devotedly attached to the interests of France, to which country he had soon after that event sent a splendid embassy, and established an intimate friendship and alliance. The period however at length arrived, when, France being occupied with other and greater objects, a severe vengeance might be safely taken on the TYRANT of MYSORE for all his real or pretended perfidies and oppressions. The Dutch East-India Company had in the last century conquered from the Portuguese two forts serving as a sort of advanced posts to their favorite settlement of Cochin,

and situated within the territory of Mysore, called Cranganore and Acottah, to which Hyder Ally had formerly advanced pretensions. These they had recently disposed of by purchase to the rajah of Travancore, an ally of the English Company. Tippoo Saib resenting the conduct of the Dutch, who had refused to listen to proposals from him, and affirming that the rajah had no right to make any such purchase within the limits of his territory without his consent as sovereign of Mysore, marched a considerable military force, in the summer of 1789, against Cranganore, with a professed intent to reduce it to his dominion. The conduct of the rajah in making the purchase in question, on so precarious and invidious a title, was severely censured by the government of Madras; and Mr. Holland, the president, warned him to desist from his ambitious designs.

On the farther advance of Tippoo and his army at the close of the year into the territory of Travancore, he received, however, a strong remonstrance from the British presidency; and, in consequence of the powerful mediation thus interposed, Tippoo withdrew his troops, still, however, asserting his claim to the feudal sovereignty of the forts, and offering to submit his pretensions to any impartial arbitration. But on the first of May, 1790, the rajah, relying, as it afterwards appeared, on the support of the superior presidency

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of Bengal, made an offensive attack on the army of Tippoo Sultan; and the war having thus commenced, the English government was *bound in honor and justice* to defend their ally. This the Company were the better enabled to do, not merely from their knowledge of the state of France, but from the treaties they had actually formed with the nizam of the Decan and the Mahratta states, for the express purpose of humbling the power of Mysore.

War of Mysore.

The grand Carnatic army immediately assembling, under the command of general Meadows, marched through the southern or Coimbetore country, and, penetrating the *Ghauts*, or passes of the mountains, advanced towards the city of Seringapatam, the capital of Mysore. On the western side, the Bombay army, under general Abercrombie, after reducing Cannanore and several other places on the coast, entered the kingdom of Mysore, which notwithstanding the pretended oppression of the government, exhibited every-where the marks of the highest cultivation and prosperity. "When a person," says a writer of reputation, who himself served in the army of lord Cornwallis, "travelling through a strange country, finds it well cultivated, populous, with industrious inhabitants, cities newly founded, commerce extending, towns increasing, and every thing flourishing so as to indicate happiness, he will naturally con-

clude it to be under a form of government congenial to the minds of the people. This is a picture of Tippoo's country. No complaints or murmurings were heard, although no time could have been more favorable for their utterance. Nor did they by any means seem to regard their conquerors with complacency, as relieving them from an oppressive yoke; but, on the contrary, they discovered a strong attachment and loyalty to their native sovereign."* To the same purpose, upon another equally respectable authority, we are told "that Tippoo's country was found every-where full of inhabitants, and apparently cultivated to the utmost extent of which the soil was capable. His government, though strict and arbitrary, was the despotism of a politic and able sovereign, who nourishes, not oppresses, the subjects who are to be the means of his future aggrandizement."† It appears, therefore, probable, that this war was not undertaken solely from the generous and beneficent motive of rescuing the inhabitants of Canara and Mysore from the oppression and tyranny of their sovereign.

The sultan defending himself with great resolution, and no mean display of military skill, general Meadows found himself under the necessity of retreating to the vicinity of Madras; where,

* Moore's Narrative of Military Operations in India.

† Major Dirom's Account of the War in Mysore.

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in the month of December (1790), lord Cornwallis assumed the command of the army in person.

The plan of the war was now entirely changed, and a grand effort resolved on to force a passage to Seringapatam through the country lying directly westward of Madras. On the 21st of March, 1791, the important town of Bangalore was taken by storm, with little loss on the part of the British, but with a dreadful carnage of the unresisting garrison. On the 13th of May, the army, by extraordinary exertions, arrived in sight of the superb capital of Mysore, defended by the sultan in person; and on the next day an action took place, in which Tippoo was said to be defeated, though he does not appear to have sustained any very considerable loss: and the swelling of the Cavery (in an island formed by the branches of which Seringapatam is situated), together with the want of provisions, compelled lord Cornwallis to begin his retreat to Bangalore, almost before his victory could be announced.

General Abercrombie, who had advanced through the *Ghauts* on the opposite side, with a view to form a junction with lord Cornwallis, was now also obliged to lead back his army, fatigued, harassed, and disappointed, over the mountains they had lately with such difficulty passed. During these transactions the troops of the nizam

and the Mahrattas kept discreetly aloof, leaving the burden of the war almost entirely to the British.

But the next campaign, for which lord Cornwallis made unremitted preparations, opened under more favorable auspices. Early in February, 1792, the eastern and western armies, resuming their former plan of operations, effected, before the end of the month, a junction under the walls of Seringapatam; the forces of the peishwa and of the nizam encamping also at a small distance, and furnishing to the British army a plentiful supply of stores and provisions. On the 7th of February a general attack was made by moonlight, the troops marching in grand and awful silence to their respective posts, on the lines of the sultan, which was attended with very important effects—Tippoo being compelled to relinquish his former advantageous position, which covered his capital; and Seringapatam was in consequence of this defeat closely and completely invested.

The situation of Tippoo Saib being now in the highest degree alarming, and almost hopeless, he thought proper to send a *vakeel* to the camp of lord Cornwallis to sue for peace; which the British general granted on the severe terms, 1. Of his ceding one half of his dominions to the allied powers. 2. Of paying three crores and

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thirty lacks of rupees, as an indemnification for the expenses of the war. 3. The release of all prisoners; and, 4. The delivery of two of his sons as hostages for the due peformance of the treaty.

On the 26th of February the princes, each mounted on an elephant magnificently caparisoned, proceeded to the British camp, where they were received by lord Cornwallis with all possible demonstrations of kindness and affection. The eldest, Abdul-Kalic, was about ten; the younger, Mirzaud-Deen, about eight years of age. The princes were attired in white muslin robes, with red turbans richly adorned with pearls, and they conducted themselves with a politeness and propriety which astonished the spectators. On the 19th of March, the definitive treaty, signed by the sultan, was delivered by the young princes, with great solemnity, into the hands of lord Cornwallis; but the sums specified in the second article not being actually paid, the princes still remained under the safeguard and custody of his lordship.

Though the entire knowledge of these transactions had not reached England when the affairs of India came under the discussion of the house of commons, (June 5th) Mr. Dundas stated the general situation of the Company to be in the highest degree flourishing; and, by an intricate deduction of figures, he shewed the surplus of the Bengal revenue for the preceding year to be no less than

eleven hundred thousand pounds. "The flourishing state of the revenue was however remarked by Mr. Francis to be not precisely the same thing with the flourishing state of the country, which might be ill able to bear the weight of these impositions. The seizures for non-payment of the land revenue were (he said) most alarmingly notorious; and he held in his hand, at that moment, two Bengal advertisements, the one announcing the sale of seventeen, the other of forty-two villages."

The trial of Mr. Hastings occupied twenty-two days of the present session. Although that great delinquent had not scrupled in the speech delivered by him at the close of the last session to declare himself "above all things desirous of an immediate decision upon the evidence before their lordships," this must be understood as a mere *bravado*; for it was not possible for a moment seriously to imagine that the house of peers would descend to a compliance so derogatory to the dignity and justice of their proceedings. And during the present year his counsel, far from displaying any eagerness to bring matters to a short issue, went into speeches and details of such immoderate length, that their reply to the first charge only, viz. that of Benares, was completed within the term prescribed. But in the view of the public at large no light whatever was thrown upon the

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main question by all the rhetorical harangues, the examinations, the re-examinations, and cross-examinations which took place in the investigation of this intricate business. To the common sense of mankind this alone appeared, that flagrant and enormous guilt could not need so many words for the purpose either of proving or of disproving it.

State of Europe.

On the 15th June (1792) the session closed with a speech from the throne, in which his majesty expressed to the two houses "his great concern at the actual commencement of hostilities in different parts of Europe, assuring them that his *principal care* would be to preserve to his people the uninterrupted blessings of PEACE."

Second National Assembly of France convened.

The second National Assembly of France met October 1, 1791. By an act of patriotic disinterestedness, very indiscreet in its nature, and pernicious in its consequences, the late Assembly had decreed that no person should be eligible to two successive legislatures. The present Assembly, therefore, was necessarily destitute of the experience, and, according to the general opinion, of the talents likewise, of the former. And being chosen at the precise period when the national resentment was at the highest pitch, they were of a much more anti-monarchical complexion. The opening speech of the king was received nevertheless with great applause: and the president replied in terms of confidence and respect, expressing the united wish

of the Assembly to comply with the benevolent and patriotic views of the king. "Such, sire," said he, "is our duty, such are our hopes, and the gratitude and blessings of the people will be our reward." The prospect, however, was quickly overcast. By the king's express desire, on his acceptance of the Constitutional Act, a decree of indemnity had passed respecting the emigrants, without any exception whatever, on the condition of their returning to their country within a limited time. But the agent deputed on this commission to the refugee princes at Coblentz, in the electorate of Treves, was not only treated with contempt and insult, but actually imprisoned, on pretence of his want of passport.

In consequence of this outrage, and of the continuance of the hostile preparations of the emigrants, a decree passed the Assembly early in November (1791) declaring prince Louis Stanislaus Xavier to have forfeited, in case he do not return to the kingdom in two months, his eventual claim to the regency: and, by a subsequent decree, the Assembly pronounced the French hostilely assembled on the frontier guilty of a conspiracy against their country, in case they did not return before the 1st of January 1792; incurring thereby the forfeiture of their estates during their lives, but without prejudice to their children. On the 18th of November a severe decree passed the Assembly

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against the nonjuring clergy, who were accused, with too much reason, of seditious and *incivic* practices.

Jealousies of the king.

To both these decrees the king, insensible or careless of consequences, opposed his royal veto. "The king," says a writer of equal ability and intelligence, the count de Segur, "made at this time an experiment of his constitutional authority, and refused to sanction these decrees. The violent of the most opposite parties were equally discontented at this resistance of the monarch; the demagogues, because they regarded it as the effect of a counter-revolutionary intention; and the aristocrates, because they wished that the king should not do any acts which might induce a supposition of his being at liberty. In the mean time the disorder and effervescence were continually increasing. The emigrants armed at Coblentz and their friends in France did not disguise their hopes. The weakness of the court became conspicuous in proportion to its perils, and a political crisis evidently approached." The Assembly, astonished at the conduct of the king, addressed him to take effectual measures to prevent the dangers which menaced the country. The king, in reply, assured the Assembly, that the emperor had done all that could be expected from a *faithful ally*, by forbidding and dispersing all assemblages of emigrants within his states. And he had acquainted the elector of

Treves, that if he did not, before the 15th of January, put a stop to all hostile dispositions, he should be obliged to consider him as the enemy of France.

The Assembly, however, were not lulled to security by these empty professions. Whatever was done in favor of the emigrants by the German princes, was plainly done under the sanction of the emperor; and it was now publicly ascertained that the emperor had, in concert with the king of Prussia, concluded a convention or agreement in the highest degree inimical to France, although no intimation had been given of this transaction from the executive power to the Assembly.

Convention of Pilnitz.

On the 24th of August, 1791, the emperor Leopold, the king of Prussia, and the elector of Saxony, met at the castle of Pilnitz, in Lusatia, belonging to the elector, where they remained till the 28th. The precise articles of the treaty concluded there, if any treaty was indeed concluded, have never been authentically divulged; but probably the engagements were only verbal. It suffices to know that on the 27th of August the emperor delivered the following DECLARATION to the count d'Artois, who assisted at the conferences, and who had, in the month of May preceding, been already admitted to a personal interview with the emperor at Mantua.—"His majesty the emperor, and his majesty the king of Prussia, hav-

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ing heard the desires and representations of Monsieur and of his royal highness the count d'Artois, declare jointly that they regard the situation in which his majesty the king of France actually is as an object of common interest to all the sovereigns of Europe. They hope that this concern cannot fail to be acknowledged by the powers whose assistance is claimed; and that in consequence they will not refuse to employ jointly with their said majesties the most efficacious means, in proportion to their forces, to place the king of France in a state to settle in the most perfect liberty the foundations of a monarchical government, equally suitable to the rights of sovereigns and the welfare of the French. Then and in that case their said majesties are decided to act quickly and with one accord with the forces necessary to obtain the common end proposed. In the mean time they will give suitable orders to their troops, that they may be ready to put themselves in motion." This paper was signed by the emperor and king.

The project of Leopold, as we are informed from the high and indisputable evidence of M. Bouillé, was to form a league between all the powers of Europe, to surround France on every side with their armies; and then to publish a manifesto requiring the French government to restore the king and royal family to their liberty, to re-instate his majesty in his dignity, and to

re-establish the monarchy on a solid basis and upon reasonable principles. Threats of an invasion and an attack upon all points were to be held out, and to be executed in case of refusal. The emperor declared to M. Bouillé "that the sanction extorted from the king of France to the new constitution was of no validity, and would permit his majesty to retract all he had done." That nobleman was requested to bring with him to Pilnitz a plan for the disposition and operation of the foreign armies upon the different parts of the French frontier; which, having completed, he submitted to the previous inspection of the council of princes at Coblentz, by whom it was approved. The king of Sweden, ever restless and eager of distinction, had some time before opened to M. Bouillé the design concerted by him with the empress of Russia for invading France with an army of 36,000 Muscovites and Swedes, to be landed as near as possible to Paris, while the combined forces of Austria and Prussia should penetrate to that capital in a different direction. This *chivaleresque* and perilous enterprise, as M. Bouillé informs us, was openly treated in Sweden as "a mad attempt, calculated to swallow up all the resources of the kingdom." The kings of Spain and Sardinia had also engaged to co-operate by an invasion of the southern provinces, and his Catholic majesty agreed to advance fifteen millions of livres tour-

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nois towards the expense of the Swedish expedition.*

In consequence of the acceptance of the constitutional act by the French monarch, he had indeed written a circular letter to the powers whom he had invited to confederate, proposing to suspend the effects of the league; and it was agreed between the courts of Vienna and Berlin, according as circumstances should determine, either to make the claims of the German princes in Alsace a subject of negociation or a pretext for war.† But the hostile designs of the two courts, if ever really suspended, were almost immediately revived, and the prospect of peace was removed to an incalculable distance. In the excitation of all the passions reason was no longer heard.

The short-lived popularity of the king of France was now vanished never to return. Addresses were presented to the Assembly from every quarter of the kingdom, indicating their dissatisfaction with the court, and their confidence in the firmness and patriotism of the Assembly. M. de Montmorin, justly suspected of being accessary to the designs of the court, now resigned his office,

* Vide "Memoirs of the French Revolution, by M. de Bouille'."

† History of Frederic William II. by count de Segur, vol. II. p. 187.

unable to withstand the torrent of national odium, and M. de Lessart succeeded.

The republican party, in consequence of the incessant tergiversations of the monarch, gained great strength; and forming themselves into a club or society assembling at the convent of the Jacobine Friars, recently dissolved, they acquired the popular and since famous appellation of JACOBINS. The friends of monarchy, on the other hand, had, from a similarity of circumstances, obtained the name of Feuillants.

Discontents increase.

The designs of Leopold gradually unfolded. On the 21st of December official notice was given to the French ambassador at the court of Vienna, that the emperor, understanding the elector of Treves to be under apprehensions from France, had been constrained to order mareschal Bender to march to his relief and protection. The king, in communicating this intelligence to the Assembly, affected great surprize at the resolution of the emperor. "He could not persuade himself that the *good dispositions* of the emperor were changed, and wished to believe that his Imperial majesty had been deceived as to the state of facts, and been made to suppose that the elector had indeed fulfilled all the duties of good neighbourhood." About this period M. Louvet, at the head of a grand deputation of the citizens of Paris, addressed the Assembly in an eloquent speech, urging the

Menaces of the court of Vienna.

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legislative body to the adoption of vigorous and decisive measures. "Men (said this impassioned and patriotic orator) who assume the name of Frenchmen are meditating the ruin of France. They harass us from within—they menace us from without—but soon, we trust, will the national vengeance, under your direction, display the banners of our armies on the banks of the Rhine.—The constitution is guarantied by the oaths of the nation which can exist only in France. Deign, gentlemen, to announce this truth to the crusaders of Treves. Tell them that France will never regard as an independent power, or as constituting any part of the French nation, the assemblage of rebels and vagabonds who have armed themselves against their country. Is it not known to the whole world that, aided by a foreign force, they have attempted sacrilegiously to destroy the infant liberties of France? Escaping by an ignominious flight from the rage of the people, they have traversed Europe in order to raise up enemies to France! In return, we issue declarations of pardon—we invite them back into the bosom of their country. They have exerted every effort to reduce us to the condition of slaves; we decree to them the rank and revenue of princes. In fine, after insulting in every possible mode the majesty of the people, they are at this moment bidding defiance to their power! We demand then the denun-

ciation of WAR.—Let France rise in arms! Let the myriads of our citizen soldiers precipitate themselves upon the demesnes of feudality. Let them encircle palaces with their bayonets, and deposit in cottages the declaration of the rights of man—that in every clime man, instructed and delivered, may resume the sentiment of his original dignity. Then shall nations be blended into one, and the grand fraternity of mankind shall, upon the altar of Equality, Liberty, and Philosophy, swear UNIVERSAL PEACE." Such were the grand and swelling ideas which now possessed the minds of a vast majority of the people of France. Attached to the liberty they had by means so wonderful acquired, with even a romantic enthusiasm the nation was, not in profession merely but in seriousness and reality, prepared and determined to sacrifice their lives and fortunes in its defence. But the court, unable to discern the signs of the times, impelled by the blind and fatal impulse of pride and passion, persisted in its frantic career of folly and ruin. Preparations were now at last made for war; but the designs of the emperor not being as yet ripe for execution, the elector of Treves thought fit on a sudden to change his tone, and to engage that within eight days the hostile assemblages within his dominions should be entirely dispersed. "The rapid fall of the royal, noble, and sacerdotal power in France," says a

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most able politician and writer, the Count de Segur,* "had struck with terror the monarchs of Europe and their favorites; they forgot the difference between their situation and that of Lewis XVI. The ministers entrusted to ask for peace were represented as missionaries chosen for the purpose of propagating the scourge of revolution. None were at that time looked on as attached to social order and to honor, but those Frenchmen who had quitted their country, and who hoped to re-establish the antient order in it by force of foreign arms. All those who thought this project humiliating to France, dangerous to the king, and likely to exasperate a proud and warlike nation, were confounded with the jacobins, whose excesses they endeavoured to prevent."

The public discontents and clamors against the king rising very high, and being charged almost openly with treachery to the nation, his majesty was pleased to write (February 17, 1792) a letter to the Assembly, contradicting in very haughty terms "these injurious reports, propagated by evil-minded people to alarm the public and calumniate his intentions. Nothing (he adds) keeps him at Paris but his will, and whenever he has reasons to leave it he will not disguise them." Unless the monarch imagined that all recollection of his de-

* History of Frederic William II. vol. ii. p. 209.

ceitful conduct in relation to the famous expedition to Varennes during the preceding summer was lost, this indignant language was strangely misapplied.

The correspondence between the courts of Paris and Vienna being laid before the Assembly on the 2d of March, it appeared that the Imperial troops in the Netherlands would shortly amount to 90,000 men. And the dispatch of prince Kaunitz (February 17) openly avowed the concert formed with other powers for *preserving unimpaired* the monarchy of France; and was throughout expressed in terms of menace and hostility, which left no doubt as to the ultimate determination of the Imperial court. The Assembly, inflamed with this intelligence, rashly and precipitately, without any previous or regular investigation of facts, impeached M. de Lessart for criminal concealment and unconstitutional practices, of which nevertheless he appears from subsequent evidence most assuredly guilty.* He was succeeded by the celebrated M. Dumouriez.

This able minister, who was firmly attached to the new order of things, tells us in his Memoirs, "that, on the return of the king and court to Paris, after the expedition to Varennes, he hoped they would reflect on their situation, and the impossibility of any longer opposing the constitution;

* Vide "Memoirs of Bertrand de Moleville."

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that they would remember the safety of the king depended on his regaining the confidence of the nation; that they would contemplate the certainty of his ruin and that of his august house, of the monarchy, and of all France, if he relapsed into his former conduct. He was persuaded that the terrible fault committed by Louis, after having twice perjured himself, would serve as a lesson to him; and that his heart would be melted with the generosity of the French nation, who had restored to him a crown which he had forfeited by the letter and spirit of that constitution which he had sworn to obey. But soon the court resumed its former habits, its secret correspondence in foreign countries, and its corruptions, which only laid it at the mercy of the traitors thus corrupted. It recommenced its intrigues, its petty conspiracies at Paris and in the provinces, its useless complaints, its satirical attacks upon the Assembly and their labors, which produced incendiary replications on the part of the Jacobins."

Being on a certain day, after his appointment as minister, ordered to wait upon the queen an hour before the council met, he found her alone, walking backwards and forwards with hasty steps. Advancing towards him at length with an irritated and majestic air she spoke as follows: —"Sir, you are all powerful at this moment, but it is through the favor of the people, who soon

demolish their idols. Your situation depends upon your conduct. It is said that you possess great talents. You ought to know that neither the king nor *myself* will suffer either these novelties or the constitution. I declare it frankly to you. Choose therefore the part you are to act." —M. Dumouriez representing the necessity of a cordial concurrence on the part of the king, in establishing the constitution solidly and quietly, the queen rejoined in a louder and more passionate tone of voice: "It will not last; therefore take care of yourself." Thus blindly and precipitately did this devoted woman press forward in the path to destruction.

Death of the emperor Leopold II. Accession of the emperor Francis II.

On the 1st of March, 1792, died suddenly, of a malignant fever, the emperor Leopold II. a prince whose passions had never wholly shaken off the restraints of prudence. He was succeeded by his son Francis II. under the title of King of Hungary; but he was, after a short interval, elected emperor of the Romans. This event made not the least change, except by a fresh infusion of violence in the system of Austrian policy. Scarcely was the new monarch seated on his throne when he communicated to the court of Berlin his determination strictly and literally to adhere to the terms of the treaty or convention of Pilnitz.

At this period the king of France, naturally void of constancy and resolution, weak and

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wavering in his temper, was induced to obey the voice of the public, by nominating, (March 23) after various unpopular dismissions and appointments, M. Roland to the interior department, M. Clavière to that of finance, and, soon after, M. Servan to be minister of war—men who deservedly possessed the general esteem and confidence. But no real advantage resulted from this change. "All the trouble (says M. Dumouriez) taken by the ministers to recover the love and confidence of the nation was rendered ineffectual by the activity of intrigues. It was Penelope's web—the court undid during the night all the labors of the day."

The negotiation between the two powers of France and Austria, notwithstanding the efforts of the new ministry, proceeded slowly and heavily. "Peace or war," says M. Dumouriez in his dispatch, March 19th, to M. Noailles, ambassador at the Imperial court, "depends entirely on the cabinet of Vienna."—"What can be the motives of such a war? The claims upon Alsace and Lorraine? These may be adjusted by negotiation.—The cause of the emigrants? They are acting in open disobedience to his majesty, and are traitors to their country.—Our armament? It was provoked by the treaty of Pilnitz, and by the asylum granted to the emigrants on the frontiers."

The ambassador, M. Noailles, was at length ordered to require from the Imperial court a distinct

specification of its ultimate objects. The reply of that court to this categorical demand was contained in a short note from M. Cobentzel. The conditions were the re-establishment of the monarchy on the basis of the royal session of Louis XVI. held June 23, 1789—consequently the re-establishment of the nobility and clergy as *orders:* the restitution of the property of the clergy, and of the lands in Alsace to the German princes, with all the rights of sovereignty and feudality; and also of Avignon and the Venaissin. In truth, says M. Dumouriez, if the court of Vienna had been asleep during the whole of the thirty-three months which had elapsed since the royal session, and at its awakening from its slumbers had dictated this note, it could not have proposed any conditions more inconsistent with the spirit of the revolution."* All hope of reconciliation being now apparently at an end, the new administration, notwithstanding their sincere desire of peace, deemed it necessary to yield to the loud and angry clamors of the Conventional Assembly; and WAR was, in consequence of a message from the king, on the 20th of April, formally declared against Austria.

—His arrogant demands.

War between Austria and France.

At this crisis a very remarkable letter was written by the king of France to the king of England, doubtless by advice of his present po-

Overtures of France rejected by the English court.

* "Memoirs of Dumouriez," vol. II. p. 227.

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pular ministers, expressing in the most flattering terms his obligations to his Britannic majesty for his impartial conduct, and making the most eager advances to the formation of a treaty of amity and alliance. "Between our two countries (says the French monarch) new connections ought to take place. I think I see the remains of that rivalship which has done so much mischief to both daily wearing away. It becomes two kings who have distinguished their reigns by a constant desire to promote the happiness of their people to connect themselves by such ties as will appear to be durable in proportion as the two nations shall have clearer views of their own interests. I consider the success of the alliance, in which I wish you to concur with as much zeal as I do, as of the highest importance; I consider it as necessary to the stability of the respective constitutions, and the internal tranquillity of our two kingdoms; and I will add, that our union ought to COMMAND PEACE to EUROPE."

It was indeed evident that at this period England might have commanded peace upon her own terms. Never did this country appear in a higher and more exalted point of view than at this moment; but, from that fatality which has governed almost invariably the counsels of the present reign, she suffered the glorious golden opportunity to pass by unnoticed and unimproved. The letter

in question producing no sensible effect, in a few weeks a formal application was made by M. Chauvelin, on the part of the French monarch, to the king of England, "to interpose, and, by his wisdom and influence, to avert, while it is still time, the progress of the confederacy formed against France, and which threatened the peace, the liberty, and the happiness of Europe." A distant and evasive answer was returned (July 8) after an interval of twenty days. "In the existing circumstances of the war now begun, his Britannic majesty affirmed, that the intervention of his counsels or of his good offices could not be of use unless they should be desired by all the parties interested"*—not recollecting certainly the late spontaneous interference in behalf of Sweden, or the still

* When ALL the parties in a war agree to desire the interposition of a neutral power, no friendly offices are wanted to bring them back to a pacific temper. Peace is almost as good as made when ALL the contending parties are disposed to desire it. The obvious duty of a common friend, the true policy of a generous or even a prudent government is to employ its good offices, and to exert its influence with those powers which may be less inclined to views of moderation, to encourage and promote a pacific disposition to favor that party which seems the readiest to listen to reasonable overtures, and to make concessions for the benefit of general accommodation. Such were the wise and honorable duties of England when his majesty's mediation was solicited and refused.—Vide QUESTION STATED, by P. FRANCIS, ESQ.

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more recent armed mediation in favor of the Ottoman Porte.

From this moment the patriots of France saw clearly that the utmost they had to expect from the policy of the English government was a cold and suspicious neutrality. The inimical disposition of the *court* of England with respect to the French revolution, from the very commencement of it, was indeed perfectly well understood in France, but it was considered as restrained and counteracted by the caution of the minister and the favorable disposition of the nation. Nothing is more difficult to disguise than a rooted sentiment of affection or hatred. The most artful have their unguarded moments, but in this case scarcely did the English court condescend to affect concealment. Notwithstanding, however, as M. Dumouriez remarks, the extreme repugnance of the king of England to the new order of things in France, the English government conducted itself upon the whole at this period with moderation and sagacity. But soon, too soon, that system was destined to undergo a fatal and dreadful reverse. On the commencement of hostilities, M. Rochambeau was constituted commander-in-chief of the French armies, a separate command being conferred on M. de la Fayette. The war began with an unsuccessful attack upon the cities of Tournay and Mons. M.

Military operations in the Low Countries.

Rochambeau conceiving disgust at the conduct of the war minister, resigned his command to M. Luckner, a veteran officer, by birth a foreigner, and who had acquired great reputation in the German war of 1756, being then in the service of Hanover. The new general did not disappoint the expectations of the public. On the 18th of June the important town of Courtray surrendered to the arms of France; and the example of Courtray was soon followed by Menin, Ypres, and St. Ghislain. But on a sudden, to the astonishment of the world, these conquests were evacuated, and the French armies retreated to their former stations in France. Mareschal Luckner subsequently declared that in this business he acted in strict conformity to the positive orders received from the king, who by this time had again adopted violent and dangerous counsels. Into this perpetual fluctuation of system there enters, without doubt, at least as much of imbecility as of treachery. Having no clear discernment of his own interest, and placing no reliance upon his own judgment, he was willing, in a situation of unparalleled difficulty, to make trial of any plan that came recommended to him from any quarter. It was truly said of him "La dernière venue avoit presque toujours raison avec lui." At the present crisis his characteristic weakness seemed to approach the limits of absolute infatuation.

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Astonishing infatuation of the French monarch:

On the 6th of June a decree passed the Assembly, on the suggestion of the Military Committee, for forming a camp of twenty thousand men in the vicinity of Paris. To this the king refused his sanction. The decree against the refractory clergy, which with some variations had a second time passed the Assembly, was also rendered ineffectual by the royal veto; and, to crown all, the king on the 12th of June announced in person to the Assembly the dismission of the popular ministers, Roland, Servan, and Clavière: and in a short time M. Dumouriez also resigned his office. Previous to this event M. Roland addressed that celebrated letter to the king, which, had it not been written otherwise in the fatal book of destiny, might have saved the monarch and the monarchy. "The fermentation is extreme (says this firm and virtuous patriot) in the various parts of the empire; it will burst upon us with a DREADFUL EXPLOSION, unless it be calmed by a well-founded confidence in your majesty's intentions: but this confidence will not be established by mere promises and protestations—it can rest upon facts only. The French nation know their constitution can sustain itself; that government will have all necessary aid whenever your majesty, wishing well to the constitution, shall support the legislative body by causing their decrees to be executed, and remove every pretext for popular dissatisfaction, and every hope of

the malcontents. The revolution is established in the public mind; it will be completed by the effusion of blood, if wisdom do not guard against evils which can YET be prevented. If force were recurred to, all France would rise with indignation; and, distracted by the horrors of a civil war, she would display that gloomy energy, the parent of virtues and of crimes, ever fatal to those who provoke it. Public safety and your majesty's individual happiness are closely linked—no power can divide them. Distresses and certain misfortune will gather round your throne, if it do not rest, through yourself, on the basis of the constitution. —Good Heaven! (exclaims this too prophetic monitor, impressed no doubt with the mournful idea that this warning voice would be uttered in vain) —are the powers of the earth stricken with blindness, and will they never attend to any counsels but such as lead them on to ruin? I am aware how unwelcome is the language of truth in courts; but, as a minister honored with your majesty's confidence, or invested with functions that imply it, no motive can prevent me from fulfilling a duty which I feel to be incumbent upon me."—After this fatal step, a succession of ministers, or phantoms of ministers, passed rapidly over the stage; the general situation of things verged towards anarchy, the pillars of the state seemed to bow, and the fabric of government tottered to its fall.

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On the 20th of June an immense crowd assembled in the gardens of the Tuilleries, and, the gates of the palace being thrown open, the populace entered into the apartment of the king. One of their leaders, more daring than the rest, producing a red cap, the symbol of liberty, desired the king to put it on. He complied; and, in answer to the incessant and clamorous demands of the mob, he repeatedly declared, "that it was his firm intention to preserve the constitution inviolate." Though the insults which the unfortunate monarch was compelled to endure were grievous, no further injury was sustained, and at the approach of night the people were persuaded to disperse. The king made a formal complaint of this outrage to the Assembly; but, in the present situation of things, they could as easily calm the storms of the ocean as the tumults of the people.

At this crisis M. de Fayette, that hero of romance, quitting his army without leave or propriety, presented himself unexpectedly at the bar of the Assembly, beseeching, or rather demanding, of them "to save their country from ruin, by dissolving the factious clubs, and inflicting exemplary punishment on the late disturbers of the public peace." By this most imprudent and unwarrantable step that general entirely lost the confidence of the nation, and incurred for this dangerous and unconstitutional interference the severe cen-

sure of the Assembly; and he returned in a short time full of resentment and chagrin to his post in the army. BOOK XXIV. 1792.

On the 1st of July it was proclaimed by the Assembly, "that the country was in danger." "Your constitution, citizens," say they, "restores the principles of eternal justice; a league of kings is formed to destroy it—their battalions are advancing." The political horizon in France exhibited the deepest gloom. On the 14th of July, the third anniversary of the revolution was celebrated; but instead of the animating shout of *Vive le Roi!* nothing was heard but the clamorous vociferations of *Vivent les Jacobins! A bas le* VETO.

It was in a short time after this ceremony announced, that the combined armies of Austria and Prussia had entered France under the duke of Brunswic, accompanied by the Prussian monarch in person, and on the 25th of July was issued, under the sanction of the two courts, a proclamation which seemed purposely calculated to complete the ruin of the king. In this famous manifesto the most dreadful vengeance is denounced against the French nation. Such of them as are found in arms against the troops of the allied powers are threatened to be punished as REBELS to their king, and destroyers of the public tranquillity; and the city of Paris, in case the king, queen, and royal family, are not immediately *set at liberty*, is me-

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naced with the horrors of military execution, with avenging punishments and total destruction. In one passage the first National Assembly is called a "criminal assembly." In another place it is said "the monarchy was overturned by a mad and tumultuous assembly." Speaking of the arrest at Varennes, the manifesto declares, "that the king was obliged to return to Paris, there to be suspended from his authority by a decree of the usurping assembly—as if any power on earth had the right of passing so infamous and odious a sentence. To regain his power, the king signed an acceptance of the constitution: but his hand was in chains, and the act which he performed was invalid. All powers, filled with indignation at this horrid spectacle, had already concerted measures for avenging the honor of the diadem. His late imperial majesty, Leopold II. by his CIRCULAR LETTER written from Padua, invited all the powers of Europe to form a confederation for this purpose. The CONVENTION of PILNITZ determined those circumstances which made their Imperial and Prussian majesties have recourse to arms."

This savage manifesto filled up the measure of the popular fury: it was not doubted that the king had authorized the use thus made of his name, and matters were almost immediately brought to a crisis. A letter addressed to the Assembly, in the usual style of the royal declarations, contain-

ing the strongest protestations of attachment to the constitution, and an absolute disavowal of the sentiments contained in the manifesto, was treated by the legislative body with the utmost contempt. A motion for sending it to the 83 departments was negatived. It was styled in debate, without reserve, a mass of falsehood and insincerity; and it was affirmed, that in the present moment of danger, far from confiding in the king, his duplicity and treachery ought to be made known to the whole nation. On the 3d of August, M. Petion, at the head of the sections of Paris, appeared at the bar of the National Assembly, to demand the DECHEANCE or dethronement of the king. A petition of the same tenor was presented by a countless multitude on the 6th, and the Assembly had appointed the 10th of August to decide upon this grand question; but the discussion was dreadfully anticipated. Early on the morning of the 10th the palace of the Tuilleries was attacked by the Parisian populace; and, being resolutely defended by the Swiss guards, whose first volley covered the Place de Carousel with dead bodies, a most bloody conflict took place, which terminated in the total defeat and destruction of the guards, and the complete triumph of the Parisians. The king at the commencement of the engagement had—certainly not in the spirit of Henry IV.—made a precipitate retreat across the gardens of the Tuilleries, with

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the queen, to the hall of the Assembly, who continued their sitting in the midst of this unexampled scene of terror and confusion, and the incessant noise of musquetry and cannon.* All freedom of deliberation was now at an end. A decree passed without debate, declaring the executive power suspended, and summoning a national convention to meet on the 20th of September. The king and queen meanwhile were committed close prisoners to the Temple. A most spirited justificatory declaration of the measure of suspension was published by the Assembly, concluding with these words:

—And his consequent deposition.

* The king made dispositions to defend the palace. The old mareschal Mailly, drawing his sword, threw himself at the feet of the king and exclaimed, "Sire, your faithful nobility are emulous to establish you firmly on the throne of your ancestors, or die with you. Will you second their efforts?" "I will second them," replied the monarch. The king departed for the Assembly through an incensed crowd of people, who vociferated the strongest imprecations against him. Arrived at the right hand of the president, he said, "I am come here to prevent a great crime: I shall ever think myself as well as my family safe under your protection." Vergniaud, the president, answered in slight and evasive terms; when another deputy observed that the Assembly could not debate in the presence of the monarch. Louis therefore descended for the last time from the tottering throne he had divided with the democrats since the year 1789, and retired into the humble logographic box, where he found himself a prisoner, and within hearing of the report of cannon destroying his palace.

Soulavie's Memoirs, vol. VI. p. 362.

"We have discharged our duty in seizing with courage on the only means of preserving liberty that occurred to our consideration; we shall be spared remorse at least; nor shall we have to reproach ourselves with having seen a means of saving our country and not having embraced it."

On the following day a new provisional executive council was appointed, consisting of the popular ministers, Roland, Servan, and Clavière, dismissed by the king; to whom was added M. le Brun, as minister of foreign affairs. M. Luckner, M. Dumouriez, now acting in the capacity of general in the army, and the other commanders, submitted with readiness to the authority of the Assembly. The conduct of M. Fayette had for some time past been such as to excite the strongest suspicions of treachery, and in the present crisis he alone had the presumption to attempt resistance; but finding himself wholly unsupported by his troops, he was obliged to make a precipitate escape. Being intercepted in his flight, and delivered up to the Prussians, he was committed close prisoner to the fortress of Magdeburg, and treated with a severity not to be wholly ascribed to the part taken by him in the *French* revolution.*

* After a short interval M. Fayette was delivered up by Prussia to Austria, and confined for several years in the dungeons of Olmutz. "The consequences of the shocking injustice done to M. la Fayette," as M. de Segur observes, "were

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The combined armies of Austria and Prussia in the mean time made a rapid and alarming progress.

Progress of the combined armies.

The town of Longwy surrendered on the 21st August, and in a few days afterwards that of Verdun, M. Fayette having previously drawn back his army to Sedan on their approach, and now the country was by a formal decree pronounced to be in danger; yet even in these circumstances the National Assembly had the magnanimity to declare war against the king of Sardinia, who had given repeated and flagrant proofs of his hostile disposition towards France.

Massacres of September

Since the deposition of the king the prisons had been filled with persons accused or suspected of disaffection to the existing government; and a sort of phrensy seizing the populace on the unexpected approach of the duke, the prisons were forced open on the night of the 2d of September, and a most inhuman and infamous massacre of the prisoners took place. It is said that, application being made on this occasion to M. Danton, minister of JUSTICE, to interpose his authority in order to put a stop to these destestable enormities, he

easy to be foreseen. Impressing all minds with the violence of the passions which actuated the coalesced sovereigns, it announced what vengeance was to be expected should a counter-revolution be accomplished; and confirmed the people in the dread which had been inspired by the projects of the French emigrants."—*History of Frederic William II. vol. II. p. 262.*

replied, "When the people have done their part, I will perform mine." A considerable number of persons, confined at Orléans for various state offences, being brought to Versailles, by order of the Assembly, for trial, were met by the same band of assassins at their arrival, (Sept. 8.) and put indiscriminately to the sword—the military escort regarding the bloody scene as passive spectators, while the inhabitants of Versailles stood stupified with horror. Amongst these victims of madness and anarchy were the ex-ministers Montmorin and De Lessart, and M. de Brissac, commandant of the king's life-guards.

On the 20th of September the National Convention met at Paris, and a decree immediately passed by acclamation for the eternal abolition of royalty in France. Such had been the insidious negligence of the court, that the country was wholly unprepared for its defence; and M. Dumouriez, to whom the destiny of France was now entrusted, could scarcely oppose thirty thousand men to the army of the duke of Brunswic, consisting of eighty thousand.

The unanimous opinion of a council of war, convened by general Dumouriez on the progress of the Prussian army, as the general himself informs us, was to retire behind the Marne. Of this, on the breaking up of the council, he declared to his friend general Thouvenot his decided

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disapprobation; then, pointing to the forest of Argonne, in the map, "Behold," said he, "the Thermopylæ of France!" The forest of Argonne, extending in length thirteen leagues from Sedan east to St. Menehould west, separates the bishoprics, i. e. Metz, Toul, and Verdun, a very rich and fertile country, from Champagne Pouilleuse, the most frightful desert in all France. Of the five passes of the forest, those of Croix-aux-Bois and Chêne Populeux to the eastward, were, after many ineffectual attempts, at length forced by general Clairfait; on which general Dumouriez abandoned the important defile of Grand-Pré, to avoid being inclosed, and after a series of admirable manœuvres retreated without loss to the strong camp of St. Menehould. The passes of Chalade and Islettes, on the great road from Verdun, commanded by the heights of Bienne, were heroically defended by general Dillon. On the 16th of September the Prussians entered Grand-Pré, and took post on the heights of La-Lune, between the enemy and Chalons. A fierce cannonading, followed by a severe but partial conflict, or succession of conflicts, took place. But the position of the French army being adjudged, after much deliberation, impregnable, and the attempt to proceed to Paris, defended by her myriads of soldier-citizens, leaving a force now increased to 60,000 men in the rear, appearing to the Prussian general in the highest degree

rash and romantic, no alternative remained. The French army receiving continual reinforcements, and the Prussians beginning to experience the evils of sickness and famine, in addition to the ordinary sufferings of war, the duke of Brunswick was reduced to the humiliating necessity of commencing his retreat on the 1st of October, and by the 18th the Austrian and Prussian armies had completely evacuated France. Thus the coalition of kings seemed to approach the French throne only to hear the crash of its fall. Never was there a more sudden or extraordinary change of fortune. "Instead of parading before the camp of St. Menehould, the duke of Brunswic would have exhibited," says M. Dumouriez, "a decisive stroke of genius, had he advanced with his whole army by a rapid march to Chalons, where the French had established their magazines. M. Dumouriez must, in that case, have relinquished the strong camp of St. Menehould, and, crossing the Marne, have endeavoured by great celerity of movement to gain the banks of the Seine." The duke of Brunswic is charged, by his ardent and active opponent, with being "too slow and methodical." Verdun surrendered on the second of September. "Had I," says the French general, "been opposed to Frederic the Great, I should on the third have been driven back as far as Cha-

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lons."* These details cannot be uninteresting to those whose bosoms glow with the sacred flame of liberty, and who reflect that on the issue of this ever-memorable campaign depended the fate of France, of Europe, and of the whole civilized world.†

Triumphs of the French arms.

By this time the French arms were triumphant in every quarter. General Montesquieu, entering Savoy on the 20th of September, was received with joyful acclamation at Chamberri, the capital, and the whole country submitted almost without resistance. On the other side, the fortress of

* Memoirs of Dumouriez—Letter to general Biron.

† The noble ode of Buchanan, on the retreat of the Emperor Charles V. from Metz, addressed to Henry II. king of France, is admirably applicable to the retreat of Brunswic, and the triumph of Dumouriez.

"Tu bellicosæ dux bone Galliæ
Sperare promptam cuncta superbiam
Compescuisti; tu dedisti
Indomito laqueos furori.

Quis vultus illi? qui dolor intimis
Arsit medullis? spiritus impotens
Cum claustra spectaret Mosellæ
Et juvenum intrepidam coronam.

Sic unda rupes sævit in obvias;
Clausus caminis ignis inæstuat:
Hyrcana sic tigris cruento
Dente suas furit in catenas."

Montalban and the entire county of Nice were conquered by general Anselm. On the banks of the Rhine general Custine distinguished himself by the most brilliant successes—reducing successively the cities of Worms, Spire, Mentz, and Frankfort. On the 20th of October, a decree passed the national Convention, declaring that the republic was saved, and the country no longer in danger.

Early in November general Dumouriez entered the Austrian Netherlands; and on the 5th of November, a day sacred to liberty, attacked the Austrian entrenchments at Gemappe near Mons. He gained a most complete and signal victory, the consequences of which were decisive as to the fate of the Netherlands. Mons instantly surrendered. Tournay, Ostend, Ghent, and Antwerp, soon followed; and on the 14th the French general made his triumphal entry into Brussels; the archduchess Christina, governess of the Low Countries, quitting that place with the utmost precipitation, a few days previous to this event—vainly offering in this emergency to restore to the people of Brabant their antient charter of liberty, the Joyeuse Entrée, hitherto withheld by the tyrannical injustice of the court of Vienna. Before the end of the year the whole of the Austrian Low Countries, Luxemburg only excepted, together with the city and territory of Liege, were subjected by the vic-

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torious arms of France. Such were the astonishing effects of that glorious enthusiasm, which can only be inspired by the GENIUS of FREEDOM!*

In the midst of the exultation occasioned by this unexampled series of triumphs, a decree was passed by acclamation in the Assembly, November 19, 1792, in the following terms:—"The National Convention declare, in the name of the French nation, they will grant fraternity and assistance to all those people who wish to procure liberty. And they charge the executive power to send orders to the generals to give assistance to such people; and to defend citizens who have suffered,

* "Long had the giant-form on Gallia's plains
Inglorious slept, unconscious of his chains;
Round his large limbs were wound a thousand strings,
By the weak hands of confessors and kings;
O'er his clos'd eyes a triple veil was bound,
And steely rivets locked him to the ground:
While stern Bastille with iron cage inthralls
His folded limbs, and hems in marble walls.
—Touch'd by the patriot flame, he rent, amaz'd,
The flimsy bonds, and round and round him gaz'd;
Starts up from earth, above the admiring throng
Lifts his Colossal form, and towers along:
High o'er his foes his hundred arms he rears,
Ploughshares his swords, and pruning hooks his spears;
Calls to the good and brave, with voice that rolls
Like Heaven's own thunder round the echoing poles;
Gives to the winds his banner broad unfurl'd,
And gathers in its shade the living WORLD."

DARWIN'S *Botanic Garden*.

and are now suffering, in the cause of liberty." This famous decree, which deserved to be considered in no other light than as a magnificent and empty vaunt, was productive of very strange and serious consequences. Two other decrees of the Assembly also demand a specific notice: the one passed November 27, erecting the duchy of Savoy into an 84th department of the French republic, contrary to a fundamental article of the constitution, by which she renounced all foreign conquest: the other, on the capture of Antwerp, declaratory of the freedom of navigation on the river Scheld.

Before we revert to the affairs of Great Britain, it may be proper transiently to notice the situation of the different powers of Europe not actually engaged in the *crusade* against France.

Revolution in Poland.

Great pains had been taken by the courts of Vienna and St. Petersburg to engage the republic of Poland in the last war against Turkey; and the king of Poland had been personally present at the memorable interview of Cherson. But the servile dependency on Russia, in which the republic had been held since the accession of Stanislaus, was odious to the Poles; and a new interest, that of PRUSSIA, had lately gained the ascendency in the Diet, under the favorable auspices of which Poland seemed for a time to recover some share of importance in the European

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scale of power. The proposition of war was rejected; and a treaty of amity and defensive alliance concluded with Prussia, February 1790. By the 6th article of this treaty his Prussian majesty expressly stipulated, "that if any foreign power should assume the right of interfering in the internal affairs of the republic, he would first employ in its behalf his most efficacious good offices, and if these should fail of effect, and hostilities against Poland be the consequence, he would assist the republic with his forces, in the form and manner specified in the treaty."

The misfortunes and consequent partition of Poland had convinced all the enlightened persons of that country of the defects of their anarchical government, the danger of an elective monarchy, and the necessity of reforming abuses, which, notwithstanding the valour of the Polish nation, rendered it at once the prey and the sport of its neighbours. At length was convened at Warsaw the famous and truly patriotic Diet of 1791, when that nation, worthy of a better fate, abandoned itself with enthusiasm to the hope that was presented to it. Never was there seen more concord in the wishes, more unanimity in the deliberations, more devotedness in the sacrifices of any public assembly. As the ultimate result of their labours was announced and promulgated (May 3), a new constitutional code, which, benefiting by the lights

of philosophy, without neglecting the calculations of policy, promised to ensure the glory and happiness of posterity, without shedding either the blood or the tears of the existing generation.

By the new formula the crown of Poland was declared to be hereditary after the decease of the present sovereign in the electoral house of Saxony, and the executive power vested solely in the monarch. The privileges of the aristocracy were circumscribed within narrower bounds, and the blessings of liberty in a considerable degree extended to the mass of the people.

All the governments of Europe, Russia excepted, offered their felicitations on this extraordinary revolution. The king of Prussia in particular, by his ambassador at Warsaw, formally congratulated the king and republic of Poland on this happy event. "After the lively interest (says this monarch in his letter to the count de Goltz) which I have always taken in the happiness of the republic, and the confirmation of her new constitution, I perfectly applaud the decisive step which the nation has just taken, and which I regard as infinitely suited to the consolidation of her happiness. I charge you to testify, in the most expressive manner, my most sincere felicitations to the king and marshals of the Diet, and to all those who have contributed to this great work." The only opposition which the new constitution experi-

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enced was from some of the antient nobles, who, enraged to find themselves deprived of their proud pretensions to royalty, were resolved to sacrifice their country to their vanity. These were Felix Potocki, the two brothers Kossawouski, Braniski great general, and a few others who became disgracefully celebrated under the appellation of the confederates of Targovitz. An opposition so weak and wicked could not have been dangerous, had it not been secretly supported by Russia; against the power of which the credulous Poles deemed themselves however sufficiently secure, in consequence of the recent and strict alliance with Prussia.

Invasion of Poland by the Russians.

In the month of May 1792, the court of Berlin being then deeply involved in the projects against France, the empress Catherine, having no longer any thing to dread from Frederic William, marched a formidable army into Poland. On the intelligence of this atrocious invasion, all the antient military ardor of the Polish nation seemed to revive, and that ardor was invigorated by the most determined and inveterate animosity against the Russians. All flew to arms; but amidst the general display of heroism the KING alone appeared cold and inert. Swayed by his inherent pusillanimity, and habitual dread of the power of Russia, he answered those who counselled him to vigorous measures, "that it was not against Poland that the empress was irritated, but against the king of

Prussia, whose destruction she had sworn; that she would renounce the war against the Poles as soon as she saw the nation disposed to come to an amicable understanding with her; that it was, in fine, better to carry on the war with the pen than the sword."

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With these plausible assurances he arrested the impetuosity of the nation, and retarded the march of his troops, notwithstanding the urgent intreaties of his nephew Joseph Poniatowski, their general, and paralized the efforts of those who had already with success repulsed the attacks of the Russians. Favored therefore by this sudden torpor, the troops of the empress advanced almost without resistance to the gates of Warsaw. Catherine now began to throw off the mask; and wrote to Stanislaus that she required from him his immediate accession to the confederacy of Targovitz—on this condition only offering a suspension of arms. The wretched monarch, who chose rather to lead a life of reproach and ignominy, than to die in the bed of honor, having acceded to the confederacy, and accepted of the armistice, merited the misfortunes by which he was soon after overwhelmed. The emperor was too much engaged by his war against France to oppose the designs of Russia, although he had agreed at Pilnitz with the king of Prussia to guarantee the integrality of Poland. But Catherine, who had not

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acceded to this treaty, readily found means to render its effect nugatory, by proposing to Frederic William a partition as easy as it was beneficial. She had hitherto opposed the views of this prince on Dantzic and Thorne. She now recognized his claims, and the Prussian monarch saw the means pointed out of indemnifying himself for his expensive and unsuccessful expedition into Champagne.

Second partition treaty.

In these circumstances, far from interposing in favor of the Polish nation as a friend, and much less arming in their defence as an ally, that perfidious monarch, eagerly embracing the opportunity which offered itself of profiting by their distress, concluded with the empress a second partition treaty, by which the provinces of Volhinia, Podolia, and the Ukraine, with the half of Lithuania which remained to Poland on the former division, were assigned to Russia: and nearly the whole of Great Poland, with the cities of Dantzic and Thorne, was allotted to the king of Prussia, from whom this new acquisition of territory received the name of South Prussia. The court of Vienna could not see without dissatisfaction this unexpected aggrandisement of Prussia; but it was informed that Frederic William would quit the coalition if he was not enabled to continue the war by the acquirement of these new possessions.*

* Count de Segur's "History of Frederic William II." vol. III. p. 128—146.

The manifesto of the court of Berlin published on this occasion (January 1793), and in vindication of these proceedings, affirmed, with effrontery unparalleled, "that the Poles, misled by designing men, had established a government subversive of all order in society, and destructive of all happiness amongst individuals." And in a subsequent declaration, dated March 25 (1793), on the entrance of his troops into Great Poland, he reproached the Poles "with their resistance to his counsel, and the beneficent views of the empress: he regretted the miseries of a country abandoned to the disorders of anarchy; and pretended to feel the greatest alarm for the safety of his own dominions by the dissemination of French principles in Poland. These motives obliged him to adopt salutary precautions, and provisionally to take possession of Thorne, Dantzic, and a part of Great Poland, in order to insure its tranquillity, and protect the well-disposed Poles."

Dantzic and Thorne were in fact within a short time compelled to submission; and the inhabitants of Great Poland, wholly unprepared for this aggression, could oppose no resistance to these new enemies.

The confederates of Targovitz, extremely surprised at this invasion, and awaking from their dreams of national security, vainly endeavoured to atone for their parricidal conduct in calling in

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the Russians, by publishing a protest against the entrance of the Prussian troops into Poland, annexing to their protest circular letters inviting the Polish nation to rise and expel the enemy. This produced a great fermentation; the agreement between the empress and king not being as yet openly avowed. But the court of St. Petersburg soon issued its orders to the confederate lords to recall the circular letters which convoked the ban and arriere-ban of the nobility. The empress now, convinced that the confederacy of Targovitz was no longer useful to cover her proceedings, ceased to temporize, and publicly ordered her ambassador, the count de Sievres, to concert with the Prussian minister Bucholtz to regulate the partition of the Polish possessions which each of the two courts wished to obtain.

On the 9th of April 1793 these two ministers presented to the confederacy a declaration, which developed the fate of Poland.

In this declaration, after having enumerated all the services rendered to the confederacy by the empress, and all the efforts employed to restore peace and order to Poland, after having recapitulated the seditious resistance of the Poles, the two courts complained bitterly of "the ingratitude of this nation, once so flourishing, and now rent by anarchy and led to ruin by the factious." The two ministers reproached "these perturbators with

having misled the people, and induced them to insult the Russian and Prussian troops, who came to protect them. Lastly, they accused them expressly of holding an understanding with the French revolutionists, who had already formed in Poland clubs affiliated to that of Paris, and by their intrigues rendered the fermentation general. In this state of disturbance, so alarming for the neighbouring powers, Catherine II. and Frederic William perceived no other means of extinguishing so dangerous a volcano, than to confine Poland within more narrow limits, and reduce her to the proportions suitable to a power of the second rank. Such were the motives which determined them to take possession of the provinces contiguous to their dominions; they declared their immutable resolution in this respect, and invited the confederacy immediately to convoke a Diet in order to co-operate towards this arrangement, as the sole means of procuring Poland a stable government and a permanent peace."

A Diet was accordingly convoked by the king, under the coercion of the two powers and those nobles who adhered to or acquiesced in the confederacy of Targovitz, at the city of Grodno, in the month of July, where and when all the outrages and usurpations which have been enumerated were ultimately ratified. The members of the Diet, although the utmost care had been taken to pre-

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vent the election of the avowed patriots, were still Poles, and resisted the demands of the two ambassadors with fruitless pertinacity. At length the count de Sievres was obliged to invest the castle with troops and artillery. Even in this situation not one member spoke to sanction the disgrace and ruin of their country. Several were, on the contrary, put under arrest for protesting against this violence.

Thus reduced to the lowest state of national humiliation, Bialinsky, marshal of the Diet, interpreting the profound and melancholy silence which prevailed into an unanimous consent, signed, at a deputation appointed for the purpose, the treaty which deprived Poland of her rank, and left her scarcely a name amongst nations.

The declaration (September 1793) of the king and Diet of Poland on this mournful occasion, containing at once the act of cession required by the courts of St. Petersburg and Berlin, and the protest of the assembly against the validity of their own act, is singularly interesting and affecting. "Threatened (as the language of the declaration expresses it) with universal desolation and destruction, with insults heaped upon their heads, surrounded by foreign troops, their personal freedom violated by the arrest of their members dragged ignominiously from the midst of them"—thus they at length conclude—"I therefore the king

of Poland, enervated by age, and sinking under the accumulated weight of so many vexations and such multiplied oppressions—and we also, the members of the Diet, declare, that being unable even by the sacrifice of our lives to relieve our country from the yoke of its oppressors, we consign it to posterity, trusting that means may then be found to rescue it from oppression and slavery. Such means are unhappily not in our power. Other countries neglect us. While they reprobate the violations which one country is alleged to have committed against liberty, they can see not only with apathy but with approbation the outrages which have been committed against Poland. We have done. We accede, for the reasons abovementioned, to the treaty laid before us, though it is contrary to our wishes, our sentiments, and our rights."

The conduct of the Polish monarch throughout the whole of this transaction, or series of transactions, however it may be palliated or softened by the circumstances which he himself enumerates, was no doubt totally incompatible with every idea of personal and regal dignity, even abstracted from the feelings of the hero or the patriot. The generous nuncio Kamar said to him publicly, on first perceiving him to waver, "What, Sir, are you no longer the same who said to us on signing the constitution of the 3d of May, may my hand perish

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rather than subscribe any thing contrary to this!" The political sagacity which had long characterized the elector of Saxony now conspicuously appeared in his declining, at the period of the establishment of the new constitution, to accept the dangerous offer of the reversion of the crown of Poland, which the Diet purposed to make hereditary in his house.

On contemplating the whole of this atrocious procedure, it is difficult to restrain within the dignified limits of historic decorum the sympathetic feelings of involuntary indignation. If, on the one hand, the wild licentiousness of democracy never displayed itself in a form so dreadful as at the present period; on the other, the pride and perfidy, the tyranny and treachery, of courts and kings have never appeared in a light so destructive and detestable; and certain it is, that the tide of political and philosophical opinion, such as is the usual precursor of great changes, has set strongly and alarmingly against them.

The affairs of Sweden, since the termination of the war with Russia, remained in a perplexed and critical situation. The king of Sweden summoned, in the beginning of 1792, a Diet to meet at Gefle, a solitary and obscure place on the borders of the Bothnic Gulf, seventy miles from Stockholm. During the sitting of the Diet, the town was filled with troops. Notwithstanding these precautions,

the demands and expectations of the king were by no means answered; and the Diet was finally dissolved in anger. On his return to Stockholm he was assassinated at a masquerade by an officer of the name of Engerstrom, actuated by the enthusiasm of public, and the rancor of personal, revenge. He was succeeded by his son Gustavus IV. a youth of fourteen years of age: and the regency was vested in the hands of the duke of Sudermania, brother to the late king, who conducted himself in his high office with singular prudence and propriety. It was perfectly understood that Gustavus III. had acceded to the CONSPIRACY of SOVEREIGNS against France, and had even proposed to take the command of the combined armies in person. This monarch had been frequently accustomed to declare, "that a war was necessary to characterize a reign," but the regent his brother, with a just abhorrence of this infamous maxim, maintained a strict and scrupulous neutrality. The same wise plan was also steadily pursued by Denmark, under the excellent and admirable administration of count Bernstorf, the invariable friend of peace, œconomy, aud reform. The Italian and Helvetic republics adopted the same safe and salutary system. Spain alone appeared wavering and indecisive, agitated by the alternate fluctuations of policy and passion.

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King of Sweden assassinated.

Wise conduct of the Danish government.

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English ambassador recalled from France.

In consequence of the transactions of the 10th August, and the virtual deposition of the French monarch, lord Gower, the English ambassador at Paris, received orders from the court of London to quit the kingdom on the slight and frivolous pretext, that, the functions of royalty being suspended, his mission was at an end. This recall was considered by the leading men in France as a certain and very ominous indication of the enmity of the British court: nevertheless, as a demonstration of their moderation and solicitude for peace, M. Chauvelin, the French ambassador, still remained in London, though from this period unacknowledged in any public or authorised capacity. The recall of the English ambassador at this critical moment, on the ground stated by the English court, seemed to imply that appointments of this nature are a mere matter of form and compliment between sovereigns. But if ambassadors are considered in a higher and juster light, as the necessary means of intercourse between nation and nation, never could the recall of an ambassador take place at a period when his presence and services were more indispensable.*

* The government of France at this period will scarcely be pronounced worse than it was during the reign of Charles IX. under the guidance of Catherine de Medicis, and subsequent to the massacre of St. Bartholomew. But in those circumstances

On the success of the French arms in Flanders the court of London gave a still farther proof of its inimical disposition, by making, seven days only after the battle of Gemappe, an eager, officious, and unsolicited offer of assistance to the States General, in case of need. But their High Mightinesses declared themselves under no apprehension of attack. They even affirmed that there is not the least reason to attribute to any of the belligerent powers hostile intentions against the republic.

Impolitic and passionate conduct of the English court.

The causes of the deposition of the French monarch, and the nature of the provocations and injuries which preceded and produced that event, not being sufficiently understood in England, it

did queen Elizabeth refuse to maintain any farther political correspondence with that infamous government? No; she received Fenelon, the French ambassador, in such a manner as denoted indeed her indignation and horror at their proceedings, but without supposing his functions suspended by these enormities. Nay, as there existed strong and weighty reasons of state for not breaking with France, she appointed one of the first noblemen in the kingdom, the earl of Worcester, as her ambassador at that court, with an express commission to renew the negotiations which had been previously depending; and, as Mr. Hume justly observes, "cautiously avoided coming to extremities with Charles, though she had sufficient ground to regard him in the light of a most dangerous enemy." Is it possible that any one can imagine or will affirm the spirit of Burleigh and Walsingham to have actuated the British cabinet at this crisis?

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made an impression very unfavorable upon the minds of the generality of the people, already biassed and perverted by the inflammatory declamations of Mr. Burke and his partizans. And the horrid massacres of September, perpetrated when France was shaken to her centre with civil and political convulsions, and no regular or efficient authority, such as might restrain the rage of vengeance or awe the audacity of guilt, existed in the country, completely alienated their minds from the revolution; although these detestable enormities could not in any rational sense be said to originate in the revolution, but merely and solely in the opposition made to its establishment.* The nation was on a sudden struck with terror at the idea of any political innovation of any kind; and the very name of REFORM became the subject of violent and indiscriminate reprobation.

Terrors of innovation.

* "Comment a pu être fait (says M. Garat) cette grande plaie à l'humanité au milieu d'un peuple où toute lumière et toute pitié n'etoient pas éteintes? Par quoi, par qui étoient réduits à cette désastreuse impuissance, tant de répresentans de la puissance nationale, tant d'organes des loix, tant de dépositaires de la force publique?—Comment l'expliquer autrement que par *l'insurrection* qui, en frappant une autorité perfide et coupable, s'étoit mise au-dessus des autorités les plus pure et les plus fidelles?—Comment l'expliquer qu'en avouant que les législateurs, les ministres, et les magistrats, de la nation, n'avoient pu réprendre encore les rènes destinées de la France, et que *l'insurrection* seule commandoit encore aux événemens?"

Memoires de la Révolution de la France.

Loyal associations.

Under the impression of this prevailing prepossession, an association, openly countenanced by government, was formed in London for the protection of liberty and property against republicans and levellers; and an innumerable multitude of pamphlets, in the popular form of letters, dialogues, and narratives, were circulated by this means throughout the country, inculcating an unreserved submission to government on the old exploded principles of Toryism and High-churchism. In one of the most notorious of these tracts it was urged in favor of monarchy, "that the king is in Scripture called the LORD'S ANOINTED; but who (say these profound politico-logicians) ever heard of an ANOINTED REPUBLIC?"

The rage of associating spread rapidly through the kingdom; and in every county, and almost every town, resolutions were subscribed strongly expressive of loyalty and attachment to the king and constitution, of their dread of innovation, and abhorrence of all levelling and republican doctrines. The populace entering with violence into these sentiments, and their passions being, by the methods now put in practice, dangerously excited, the cry of CHURCH and KING was vociferated with tremendous clamors from the Tamar to the Tweed —from the white cliffs of Dover to the verdant hills of Cheviot. In this paroxysm of the public mind all power of discrimination and ratiocination

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was suspended, and, as usually happens in such cases, from the just fear of one extreme, men eagerly sought refuge in another.

"INNOVATION (says lord Bacon, with his accustomed sagacity) is not more turbulent than a froward retention of custom. Surely every medicine is an innovation, and he that will not apply new remedies must expect new evils: for TIME is the greatest innovator; and if Time of course alter things to the worse, and wisdom and counsel shall not alter them to the better, what shall be the end?"—"There is (as Helvetius observes) a description of men with hearts incapable of virtuous emotion, furiously enraged against every one who wishes to convulse the empire of imposture—who aim against him the passions themselves despise, and terrify weak minds by incessant harangues on the dangers of novelty or innovation. As if truth must necessarily banish virtue out of the world; as if every thing partaking of its nature was so productive of vice, that no one can be virtuous who is not unenlightened; as if the very essential qualities of morality demonstrated this idea, and, consequently, that the study of this science was prejudicial to society, they wish to make the people venerate received and established prejudices, in the same manner as the Egyptians of old were kept prostrate before the sacred crocodile of Memphis."

Previous to this extraordinary display of loyalty it had not been unusual for the violent zealots of liberty in England to transmit addresses to the Convention, declaratory in high-flown terms of their applause and admiration. The most remarkable of these, entitled "An Address from several Patriotic Societies in England," was presented, November 7th, at the bar of the Convention, containing, in addition to the accustomed complimentary expressions, the most indecent and indefensible reflections upon the government and constitution of their own country. "Whilst foreign plunderers ravage your territories, (say these addresses) an oppressed part of mankind, forgetting their own evils, are sensible only of yours, and address their fervent prayers to the God of the Universe, that he may be favorable to your cause, with which theirs is so intimately connected.—Degraded by an oppressive system of inquisition, the insensible, but continual, encroachments of which quickly deprived this nation of its boasted liberty, and reduced it almost to that abject state of slavery from which you have so gloriously emancipated yourselves,—five thousand English citizens, fired with indignation, have the courage to step forward to rescue their country from that opprobrium which has been thrown on it by the base conduct of those who are invested with power. We see with concern that the elec-

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tor of Hanover unites his troops to those of traitors and robbers; but the king of England will do well to remember that England is not Hanover. Should HE forget this, WE will not forget it." The president of the Convention, in his answer to this daring and insolent address, had the extreme indiscretion to use expressions full of respect and complacency. "The sentiments of five thousand Britons, (said he) devoted openly to the cause of mankind, exist, without doubt, in the hearts of all the freemen in England." And, what is still more extraordinary, copies of the address were ordered to be sent to all the armies and departments of the republic.

Also, on the 28th of November, a deputation from the "Society for Constitutional Information" presenting an address at the bar of the Convention, congratulated that assembly "on the glorious triumph of liberty on the 10th of August," and declaring, "that, notwithstanding the hireling pens which may be employed by the power of government to contradict them, they speak the sentiments of a majority of the English nation." In the prefatory speech of the deputies, *citizens* John Frost and Joel Barlow, are to be found expressions yet more seditious and offensive than in the address. They take upon them to predict, "that, after the example given by France, revolutions will become easy. Reason (say these inspired

patriots) is about to make a rapid progress; and it would not be extraordinary, if, in a much less space of time than can be imagined, the French should send addresses of congratulation to a NATIONAL CONVENTION of ENGLAND." The president, M. Gregoire, in reply, paid the highest compliments to the English nation, as having afforded illustrious examples to the universe. "The shades," said he, "of Hampden and of Sydney hover over your heads; and the moment, *without doubt*, approaches, in which the French will bring congratulations to the national convention of Great Britain. Generous republicans! your appearance among us prepares a subject of history."—The speech, the address, and the answer of the president, were ordered to be printed, and sent to the eighty-three departments, and translated into all languages.

On the same *auspicious day* a deputation from the British and Irish resident at Paris appeared at the bar, and, amidst loud and reiterated plaudits, they declared their belief, amongst other strange and extravagant imaginations, "that the disgraceful memory of those *pretended governments*, the offspring of the combined fraud of priests and tyrants, will in a short time alone remain. Our wishes, citizen legislators, render us impatient to behold the happy moment of this great change, in the hope that, on its arrival, we shall see an inti-

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mate union formed between the French republic, and the English, Irish, and Scottish nations. Nor are we alone animated by these sentiments:—we doubt not that they would be equally conspicuous in the great majority of our fellow countrymen, if the public opinion were to be consulted there, as it ought, in a NATIONAL CONVENTION."

The president answered in a high-flown strain of rhetoric.—"Principles are waging war against tyranny, which will fall under the blows of philosophy. Royalty in Europe is either destroyed, or on the point of perishing on the ruins of feudality; and the declaration of rights, placed by the side of thrones, is a devouring fire which shall consume them. Worthy republicans! congratulate yourselves on thinking that the festival which you have made in honor of the French revolution is the prelude to the festival of nations."

The true key to this most impolitic, rash, and insulting conduct of the Convention, so far as the acts of a tumultuous democratic assembly, too oft proceeding from the impulse of the moment, can be traced to system, is, that in consequence of the number of ostentatious, but really insignificant, addresses presented at their bar, they were most egregiously deceived with respect to the sentiments of the people of England at this period: and they fancied that, by gratifying their resentment against the court, whose enmity they knew

and contemned, and whom they vainly hoped by these means to intimidate, they should at the same time recommend themselves to the nation at large, with whom it was certain they ardently wished to cultivate a good understanding.*

* "During the whole of our journey, (says an intelligent traveller, December 1792) we remarked that the apprehension of a war with England was peculiarly painful to the French. Though flushed with their late successes, and confident against a world in arms, it was evident there was nothing they dreaded more than such an event: not merely on account of the mischief that might ensue, but because it would force them to regard as enemies the only nation in Europe they considered as their friends. All along the road they anxiously asked us what we thought would be the consequence of the armament in England? We frankly told them, we presumed it would be war—and generally observed a moment of silence and dejection follow the delivery of our opinion. The imminence of hostilities, however, in no degree diminished the respect they shewed us as Englishmen; and not only we did not meet with any thing like an insult in the whole of our tour, but on the contrary we experienced everywhere particular kindness and attention. They seemed eager to court our good opinion, and frequently begged us not to ascribe to a whole nation the faults of individuals, and not to charge their government with disorders its present state of vacillation rendered it incompetent to repress. I confess I should never have suspected that I was travelling among a nation of savages, madmen, and assassins—I should rather have wished, with SHAKSPEARE,

> ——"that these contending kingdoms,
> England and France, whose very shores look pale
> With envy of each other's happiness,
> May lose their hatred."

Vide '*Tour through the Theatre of War*,' *A. D.* 1792.

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The decree passed on the 19th of November had already left little to fill up of the measure of their iniquity, in the view of the court of London; and, in combination with the obnoxious addresses, it was regarded as nothing less than an act of open aggression. Certainly the English government had just cause of resentment, and an undoubted right to adequate reparation. Unhappily the court of London, inflamed with indignation, sought not reparation merely, but revenge. Her measures being now determined on, a royal proclamation was issued December 1, 1792, announcing the alarming intelligence, "that, notwithstanding the late proclamation of the 21st of May, the utmost industry was still employed by evil-disposed persons within the kingdom, acting in concert with persons in foreign parts, with a view to subvert the laws and constitution; and that a spirit of tumult and disorder, *thereby excited*, had lately shown itself in acts of riot and INSURRECTION—And that, these causes moving him thereto, his majesty had resolved forthwith to embody part of the militia of the kingdom."

On the same day another proclamation was issued for convening the parliament (which stood prorogued to the 3d of January, 1793) on the 13th of December; the law requiring, that if the militia be drawn out during the recess of parliament, and this it can only be in case of invasion

or actual *insurrection*, parliament shall be assembled within the space of fourteen days.

A plot in disguise.

The public alarm caused by these proceedings was inexpressible. Sullen suspicion and anxious dread sat on every countenance. All were convinced of the existence of a PLOT; which was so much the more terrible, from its being invisible and incomprehensible. The minister did not disdain to heighten the general consternation by the palpable artifices of marching troops to the metropolis, of doubling the guard at the Bank, and of repairing the fortifications of the Tower.

Parliament convened:

On the meeting of parliament on the day appointed, the expressions of the first proclamation were repeated in his majesty's speech; towards the conclusion of which the real views of the court became sufficiently manifest. "I have," said his majesty, "carefully observed a strict neutrality in the present war on the continent, and have uniformly abstained from any interference with respect to the internal government of France: but it is impossible for me to see without the most serious uneasiness the strong and increasing indications which have appeared there of an intention to excite disturbances in other countries, to disregard the rights of neutral nations, and pursue views of conquest and aggrandizement, as well as to adopt towards my allies the States General measures which were neither conformable to the law of

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nations nor to the positive stipulations of existing treaties. Under these circumstances his majesty thought it right to have recourse to those means of prevention and internal defence with which he was entrusted by law, and to make some augmentation of his naval and military force."

On moving the address in answer to the speech, a memorable debate arose. Never did the strength and superiority of Mr. Fox's genius appear perhaps so conspicuous as in this moment of national infatuation. "This," said Mr. Fox, "is the most momentous crisis, not only that I have ever known, but that I have read of in the history of this country—a crisis not merely interesting to ourselves, but to all nations; and on the conduct of parliament depends the fate of the British constitution—perhaps the future happiness of mankind. His majesty's speech contains a variety of assertions of the most extraordinary nature. We are told there exists at this moment an insurrection in this kingdom.—An INSURRECTION!—Where is it? Where has it reared its head? Although this insurrection has existed fourteen days, ministers have given us no light whatever, no clue, no information where to find it. There have been, as I understand, and as every one must have heard, some slight riots in different parts; but I ask, Were the various pretexts of these different tumults false, and used only to cover an attempt to destroy our happy constitution? I have

heard of a tumult at Shields, of another at Leith, of something of the same nature at Yarmouth and Dundee. But were the sailors who demanded an increase of their wages actuated by a design of overthrowing the constitution? Is there a man in England who is credulous enough to believe it?—The address now moved says modestly, 'We are sorry to hear there is an insurrection.' Of the tumults in the sea-ports we had some previous knowledge, but the insurrection we learn from his majesty's speech. It has been alleged, as a proof of disaffection, that the countenances of many wore the face of joy when the intelligence arrived of the duke of Brunswic's retreat. What! is it a sufficient demonstration of republicanism, that men should rejoice in the discomfiture of the armies of despotism combating against liberty? Could any man who loves the constitution of this country wish success to the duke of Brunswic, after reading a manifesto which violated every principle of justice, humanity, freedom, and true government?—Who will dare to defend that system of tyranny and coercion which insists that Englishmen shall not indulge any genuine feelings of their own—which tells them that they must not think but by permission—that they must rejoice and grieve as it suits the caprice or the pleasure of the ministers? Are we to arraign a man for his secret and supposed designs, and arrogate to our-

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selves at once the province and the power of the Deity?—What innocence can be safe from this more than inquisitorial oppression?—Doubtless there are speculative persons in this country who disapprove of the system of our government: and there must be such men as long as the land is free, for it is of the very essence of freedom for men to differ upon speculative points. From the instant that opinion shall be held dependent upon the will of the minister or the magistrate, I date the extinction of our liberties as a people."

In passing to that part of the king's speech which related to France, Mr. Fox asserted "that there never was a period when this country had so much reason to wish for peace. Never was there a period less favorable to a system of hostility. How frequently have wars been prevented by negotiation! Why then disdain to negotiate now?—Because we had no minister at Paris. And why have we no minister?—Because France is a republic unanointed. For this punctilio then it is that the blood and treasure of the kingdom are to be expended!—Oh! why were not some drops of the sacred oil from the holy phial at Rheims poured on the heads of the Executive Council, that the pride of kings might not have feared the contamination of their acquaintance?—As to the free navigation of the Scheld, I will not believe that a war can in reality be undertaken for an object so

trivial, or that Holland itself would desire or approve it. What was the conduct of France under her former depraved government, when the emperor menaced the opening of the Scheld in 1786? Was war declared in order to prevent it? No; they opened a negotiation, and carried the point by amicable interposition. Is not the ultimate object of republicans and levellers aided by plunging the nation in a war without due and previous enquiry? I conjure parliament to avoid involving the people in so dreadful a calamity, without coolly reflecting on its necessity. Let us not, as heretofore, fall into the disgrace of being obliged to retract every syllable of what we are now called upon to say."

Mr. Fox concluded with moving an amendment, simply pledging the house that enquiry should be made into the facts stated in his majesty's speech. After a debate of many hours, the house divided, for the amendment 50, against it 290!

In the house of lords the address was carried without a division; but not without a powerful opposition from the duke of Norfolk, and the lords Lansdown, Rawdon, and Stanhope.

Defection of the alarmists.

In consequence of the late alarms, the opposition, or Whig party, had, as it now appeared, suffered a great and melancholy defection. At the head of the seceders in the upper house were the prince of Wales, the duke of Portland, and

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lords Fitzwilliam, Spencer, and LOUGHBOROUGH, who, on the *resignation* of lord Thurlow* at this

* The real cause of the reluctant resignation of lord Thurlow was the irreconcileable discord subsisting between him and the minister—Mr. Pitt declaring, it is said, "the chancellor to be a man who opposed every thing and proposed nothing—and that he neither could nor would act with him any longer." It is notorious, that in various instances the measures of the minister, far from being supported in the upper house, were vehemently and virulently attacked by the chancellor—and in particular a very favorite and indeed very excellent bill, introduced by Mr. Pitt during the last session, in aid of the Sinking Fund Bill, providing, with great political prudence, that in all future cases of public loans, exclusive of the interest, a surplusage of one per cent. should be appropriated by parliament for the eventual extinction of the capital. This the chancellor, whose ignorance of financial topics was extremely gross, and of whose great talents it was the fate to be almost invariably misapplied, most perversely reprehended as "an arrogant and insolent encroachment on the prerogative and independency of future parliaments; and he scrupled not to pronounce the folly of the measure to be unequalled, except by the vanity of making the attempt." The great seal was in commission from June 1792 to January 1793; lord chief-baron Eyre being first commissioner. The king, who felt inexpressible regret at the loss of so *loyal and faithful* a servant, as a mark of his peculiar esteem and regard, conferred upon him a new patent of peerage with remainder to his nephews, Edward and Thomas Thurlow, sons to the late bishop of Durham. The temporary difficulty to which the court was reduced as to the disposal of the chancellorship, recalls to recollection the anecdote related of king James I. who, on receiving the great seal from lord Bacon, was overheard to say, "Now, by my soul! I am pained to the heart where to bestow this, for as to my LAWYERS they be all KNAVES."

period, was advanced to the chancellorship; and in the lower house, Mr. Burke, Mr. Windham, sir Gilbert Elliot, Mr. Anstruther, &c. who acquired by this means the popular appellation of ALARMISTS. On the bringing up the report, on the succeeding day, the debate was resumed with fresh vehemence. Mr. Fox most severely censured the ministers for not having interposed the mediation of Great Britain, in order to preserve the peace of Europe. Had we protested against the project concerted at Pilnitz, and armed to prevent the execution of it, England must have acquired such an ascendency in the councils of France as would have completely obviated all the subsequent causes of dissatisfaction. "If," said Mr. Fox, "there exists a discontented or disaffected party in the kingdom, what can so much add to their numbers, or their influence, as a war, which, by increasing the public burdens till they become intolerable, will give proportionable weight to their complaints? He wished therefore that war should be avoided, if possible—that negotiation should precede hostility. He was fully aware of the arrogant notions of ministers, who perhaps would not condescend to receive a minister from the French republic. If this were the case, let ministers fairly avow it—that the people of England might know how far the essential interests of the nation were sacrificed to a *punctilio*. Was not the republic of

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this country acknowledged by all Europe in the case of Cromwell? Gentlemen should recollect that it was once fashionable to talk of a 'vagrant Congress,' of 'one Hancock' and 'one Adams' and 'their crew.' But surely the folly of this language has been sufficiently proved. Could it be forgotten that Dr. Franklin, after suffering the grossest abuse, was the very person with whom we were compelled to negotiate? sooner or later we *must* acknowledge the republic of France. Where then is the difficulty of acknowledging it now?" He then moved an amendment, "beseeching his majesty to employ every means of negotiation consistent with the honor and safety of this country, to avert the calamities of war."—The motion was opposed by Mr. Burke in a frantic speech, in which he affirmed "that to send an ambassador to France would be the prelude to the murder of our sovereign. The republic of France he pronounced to be *sui generis*, bearing no analogy to any other that ever existed in the world, and this was a reason why we should not acknowledge it. With the Rights of Man in one hand, like Mahomet with his Koran, and a sword in the other, it knew no medium between proselytism and murder." In conclusion, Mr. Burke hazarded the extraordinary opinion, "that it was superfluous to discuss the justice or the policy of maintaining peace with France, for that the two nations were

actually in a state of war, and the question in dispute was already decided."—Mr. Pitt was not at this time a member of the house, having vacated his seat by the acceptance of the lucrative sinecure of the Cinque Ports, void by the death of the earl of Guildford, once so famous under the title of lord North.

In the absence of the minister, Mr. Secretary Dundas entered into a long and elaborate vindication of the measures of administration; and he concluded with a confident prediction, that "*if we were forced into a war, it* MUST *prove* SUCCESSFUL *and* GLORIOUS." This declaration would no doubt have amazed so *shallow* a politician as the cardinal Richelieu, who formed a very different judgment of the immense strength and resources of the Gallic empire, when he affirmed, as the abbé Brotier informs us, "that France was able to raise 600,000 foot, and 150,000 horse, and to go to war with them in a fortnight." And mareschal Lasci, a military authority equal at least to Mr. Dundas, repeatedly declared to M. Bouillé his opinion, that a war was not to be entered hastily into with France; the resources of which country, he observed, were immense, and their frontier impenetrable.—The amendment was negatived without a division.

Not discouraged at the ill success of these attempts, Mr. Fox, on the 15th of December, moved, Interesting debate on Mr. Fox's

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motion for a negotiation with France.

at the close of a speech, which only served to demonstrate how incompetent are the utmost efforts of human wisdom to work conviction in minds distempered by prejudice and passion, "that a minister be sent to Paris to treat with those persons who exercise provisionally the executive government of France.* This (he said)

* Human nature, as exhibited in the writings of the celebrated historians of antiquity, presents to us an exact and faithful picture of what it now is, and ever shall be, world without end.—Immediately previous to the commencement of the Peloponnesian war, so famous and so fatal in the annals of Greece, it was debated, as Thucydides informs us, in the Spartan councils, whether measures of conciliation and pacification should not first be tried in respect to the Athenians, who had by their restless ambition and arrogance given just and general cause of offence to the neighbouring states. Archidamus king of Sparta, who united long experience to profound wisdom, made use on this occasion of arguments strikingly analogous to those urged in the British parliament by Mr. Fox, to dissuade the Lacedæmonians from precipitately involving themselves in a quarrel so desperate and dreadful. "People of Lacedæmon, (said he) I have been witness of many wars, as have also several amongst you; and am for that very reason but the more disposed to fear for the event of that you are about to undertake.—You are going to attack a country formidable from the number of its soldiers and its ships, and rich in its productions and resources.—What is to inspire you with this confidence?—Is it the project of ravaging the plains of Attica, and of terminating this mighty quarrel in one campaign? Alas! how much do I dread that we shall be compelled to leave this war as a wretched inheritance to our children! The hostilities of cities and individuals are

implied neither approbation nor disapprobation of the conduct of the existing French government. BOOK XXIV. 1792

transient; but when war is once enkindled between two powerful states, it is as difficult to foresee the consequences as to extricate ourselves with honor.—I am not of opinion that we should abandon our allies to oppression: I only say, that, previous to our taking arms, we should send ambassadors to the Athenians and open a negotiation. They have just proposed to us this mode, and it were injustice to refuse it. The slowness imputed to the Lacedæmonians has always constituted our security. Never have praises or reproaches excited us to rash enterprises. We have not the ability by *eloquent harangues* to depreciate the power of our enemies. To enable us to conquer, we must guard against their prudence as well as their valor, and reckon less upon their errors than on the wisdom of our own precautions. We maintain the equality of men, and that he only can be regarded as superior who on critical exigencies conducts himself with the most prudence and wisdom.—Let us not now deviate from the maxims we have received from our fathers, and which have hitherto preserved this state.—Deliberate at leisure. Let not a *single moment* decide on your properties, your glory, the blood of so many citizens, and the destiny of so many nations."—This speech produced, as we are told, a sensible effect upon the assembly; when one of the ephori, by name Sthenelaidas—the BURKE, we may presume, of his age and nation—immediately rose and pronounced a vehement rhapsody in favor of an instant declaration of war. Disdainfully rejecting all advances to negotiation, he declared, "that the question was not concerning speeches and discussions; for (said he) it is not by words that our allies have been injured. The most speedy vengeance alone can now befit the *dignity* of Sparta. And let it not be said that we should deliberate after receiving an INSULT: our enemies should have deliberated before they insulted us. Give

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It was the policy and the practice of every nation to treat with the existing government of every other nation with which it had relative interests, without enquiring how that government was constituted, or by what means it acquired possession of power. Was the existing government of Morocco more respectable than that of France? Yet we had more than once sent embassies thither, to men reeking from the blood through which they had waded to their thrones. We had ministers at the German courts, at the time of the infamous partition of Poland. We had a minister at Versailles when Corsica was bought and enslaved. But in none of these instances was any sanction given directly or indirectly by Great Britain to these nefarious transactions."—Mr. Fox acknowledged, that it would have been better if what he now proposed had been done sooner; and far better yet had lord Gower never been recalled from Paris. The present measure was, however,

your voices then for WAR, Oh Lacedæmonians! and at length prescribe some limits to the injustice and ambition of the Athenians. Let us march, secure of the protection of the GODS, against these invaders of liberty!" The opinion of the king was supported by a minority of the assembly, but the plurality of voices decided peremptorily for war. And thus it is that in all ages and in all countries the dictates of wisdom and moderation are overborne, and the peace and happiness of nations sacrificed to the suggestions of passion or caprice, the fumes of enthusiasm, or the artifices of ambition.

the best which remained, and this was the earliest opportunity afforded him of bringing it forward. Mr. Fox insisted, "that the people had a right to be informed what was the real object of the war, which no one seemed at present able to ascertain. Whenever we treated, and at some time or other we must treat, it must be with the existing power, though it were republican—Why then hesitate to do so now, when such important ends might be answered by it? He spoke (as he affirmed solemnly) from a sense of duty, for he knew that his opposition to the war was extremely unpopular; but he should at all times give that advice in parliament which he conceived to be conducive to the real interests of the nation, even at the risk of incurring the public odium and resentment."

Mr. Francis, in a very excellent speech, remonstrated and protested against the manner in which the debate had been conducted on the part of the ministerialists. "How (said he) has this awful question been agitated? By appeals to our understanding? No;—by exciting our passions, by agitating our feelings, by presenting perpetually to our imagination scenes of horror. Thus do the house in fact deprive themselves of all capacity to debate—of all power to judge. They listen with rapture to invectives, and echo them back in shouts and clamors. Is this a British house of commons? Or am I suddenly transplanted by some enchant-

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ment into that convention, against which the perpetual theme of reproach is, that they deliberate in passion and resolve by acclamation.

In answer to the absurd and puerile objection, that, if we agree to a negotiation, we should not know with whom to negotiate, Mr. Whitbread asked with energetic animation, "If we knew with whom we were going to make war? If there was no difficulty in deciding upon that point, how could we pretend to be at a loss to know with whom we were to make peace? Doubtless with that Assembly, truly described by his majesty, as exercising the powers of government in France."

Mr. Courtenay animadverted with poignant severity upon the rhapsodical extravagances which had fallen from Mr. Burke; and he read to the house a passage from the famous pamphlet published by him, which he said he considered as the prelude to the duke of Brunswic's disgraceful manifesto. Mr. Courtenay said, that "Mr. Burke was the dupe of his imagination. His imagination was a magic-lantern, presenting a rapid and exhaustless succession of phantasms. There were chivalry—the duke of Brunswic—Petion faction—National Convention—king of Armenia—senate of Rome—Marat—assassinations—Corinthian capitals—Tom Paine—and many other things, making a complete raree-show, for the entertainment of the admirers of that gentle-

man.—Mr. Courtenay acknowledged that he had never felt so much pleasure as when the Prussians, who had entered France not as soldiers but as ruffians, had been driven back in shame and confusion. He had participated in the triumph when M. Dumouriez made his *joyeuse entrée* into Brabant."

Mr. Windham had laid it down as an axiom of policy, "that, to be *justified* in negotiating with France it should be a matter of necessity, not of choice."

"Happy, dignified opportunity to treat! (exclaimed Mr. Sheridan) when necessity, a necessity arising from defeat and discomfiture, from shame and disgrace, shall compel us to negotiate on terms which would leave us completely at their mercy! How consolatory, to be able to boast that we are at the same time JUSTIFIED and UNDONE! —But we are told, (continued Mr. Sheridan) that to treat with France would give offence to the allied powers, with whom we are eventually to cooperate. Are we then prepared to make a common cause on the principles and for the purposes for which those despots have associated? Are the freemen of England ready to subscribe to the manifesto of the duke of Brunswic? that detestable outrage on the rights and feelings of human nature! that impotent and wretched tissue of pride, folly, and cruelty, which had steeled the heart and

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maddened the brain of all France! The question is not merely whether we should go to war or not? but, on what principle should it be conducted, and to what end directed? To restore the antient despotism of France? Impossible! Disputes and causes of complaint existing, how were they to be terminated but by some sort of negotiation? But we were told, that the dignity of the nation forbade a public and avowed communication with the present ruling powers in France. Was the dignity of the nation better consulted by the mean subterfuge of an indirect and underhand intercourse? Was it sacrificed by a magnanimous frankness, and sustained only by dark and insidious disguise? Far from recalling the ambassador of England from Paris at the late perilous crisis, a *statesman-like administration* would have regarded the post of minister at Paris as the situation which demanded the first and ablest talents of the country. It was a situation which afforded scope and interest for the noblest mind that ever warmed a human bosom. The French had been uniformly partial, and even prejudiced, in favor of the English. What manly sense and generous feeling, and, above all, what fair truth and plain dealing might have effected, it was difficult to calculate. But the policy which discarded these, and which substituted in their stead a hollow neutrality, was an error fatal in its consequences, and for ever to be

lamented."—The motion was opposed with a mixture of passion and disdain. For the efficient government existing under the monarchy of the Bourbons, all was now said to be anarchy and confusion: and France without treasure, without commerce, without revenue, without allies, without any resource whatever, must soon inevitably sink under the contest. Our success in the event of a war was declared to be certain; and the motion was in the end negatived without a division.

Mr. Grey, Mr. Erskine, and Mr. Adam, distinguished themselves in the course of these debates by very able and eloquent speeches on the part of the opposition. And the desertion of their *friends*, far from dispiriting the faithful few who remained, seemed to animate them to still higher and more ardent exertions of patriotic zeal. The popular odium incurred by the leaders of opposition, and in particular by Mr. Fox, in consequence of their generous endeavours to rescue their country from the gulf of ruin into which it was, with such blind and rash precipitancy, about to plunge, will appear to posterity scarcely credible. Neither professing a contempt for the public judgment, nor, on the other hand, yielding for a moment to the tide of popular opinion, Mr. Fox published at this period a very animated and dignified address to his constituents, the electors of Westminster,—stating, with admirable force and perspicuity of

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argument, his reasons for his late parliamentary conduct.

Speaking with just disdain of the artifices which had been practised by ministers to excite the alarm now prevalent, and to heighten that alarm to consternation and terror, this great statesman thus expresses himself:—"To these systems of crooked policy and pious fraud I have always entertained a kind of instinctive and invincible repugnance. Of this feeling I cannot divest myself. But are there in truth no evils in a false alarm besides the disgrace attending those who are concerned in propagating it? Is it nothing to destroy peace, harmony, and confidence, among all ranks of citizens? Is it nothing to give a general credit and countenance to suspicions which every man may point as his worst passions incline him? In such a state all political animosities are inflamed. We confound the mistaken speculatist with the desperate incendiary. Those who differ from us in their ideas of the constitution we consider as confederated to destroy it. Forbearance and toleration have no place in our minds.—The motives which urged me to make my third motion, which, if I am rightly informed, is that which has been most generally disapproved, were the same desire of peace which actuated me in the former, if it could be preserved on honorable terms; and, if this were impossible, an anxious wish that the

grounds of war might be just, clear, and intelligible. BOOK XXIV. 1792.

" If we, or our ally, have suffered injury or insult, or if the independence of Europe be menaced by inordinate and successful ambition, I know no means of preserving peace but by obtaining reparation for the injury, satisfaction for the insult, or security against the design which we apprehend. And I know no means of obtaining any of these objects but by addressing ourselves to the power of whom we complain.

" If the exclusive navigation of the Scheld, or any other right belonging to the States General, has been invaded, the French executive council are the invaders, and of them we must ask redress. If the rights of neutral nations have been attacked by the decree of the 19th of November, the National Convention of France have attacked them; and from that convention, through the organ by which they speak to foreign courts and nations, their minister for foreign affairs, we must demand explanation, disavowal, or such other satisfaction as the case may require. If the manner in which the same convention have received and answered some of our countrymen who have addressed them be thought worthy notice, precisely of the same persons and in the same manner must we demand satisfaction upon that head also.—I knew indeed that there were some persons whose

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notions of dignity were far different from mine, and who, in that point of view, would have preferred a clandestine to an avowed negotiation; but I confess I thought this mode of negotiation neither honorable nor safe.

"Having ascertained the precise cause of war, we should learn the true road to peace; and, if the cause so ascertained appeared adequate, then we should look for peace through war by vigorous exertions and liberal supplies. If inadequate, the constitution would furnish us abundance of means, as well through our representatives as by our undoubted right to petition king and parliament, of impressing his majesty's ministers with sentiments similar to our own, and of engaging them to compromise, or, if necessary, to relinquish, an object in which we did not feel interest sufficient to compensate us for the calamities and hazard of a war.

"To these reasonings it appeared to me, that they only could object with consistency who would go to war with France on account of her internal concerns, and who would consider the re-establishment of the old, or at least some other form of government, as the fair object of the contest. Such persons might reasonably enough argue, that with those whom they are determined to destroy it is useless to treat.—But if the objections of the violent party appeared to me extravagant, those of

the more moderate seemed wholly unintelligible. Would they make and continue war till they can force France to a counter-revolution? No, this they disclaim. What then is to be the termination of the war to which they would excite us? I answer confidently, that it can be no other than a negotiation upon the same principles, and with the same men, as that which I recommend;—for I cannot suppose that they who disclaim making war *for* a change would yet think it right to continue it *till* a change; or, in other words, that the blood and treasure of this country should be expended in a hope that not our efforts, but time and chance, may produce a new government in France, with which it would be more agreeable to our ministers to negotiate than with the present. —If recognition be really a sacrifice on our part, consider whether the ministry have not already made that sacrifice by continuing to act upon the commercial treaty as a treaty still in force. Every contract must be at an end when the contracting parties have no longer any existence either in their own persons or by their representatives. After the 10th of August the political existence of Louis XVI. who was the contracting party in the treaty of commerce, was completely annihilated. The only question therefore is, whether the executive council of France did or did not represent the political power so annihilated? If we say they did

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not, the contracting party has no longer any political existence, either in his person or by representation, and the treaty becomes null and void. If we say they did, then we have actually acknowledged them as representatives for the time at least of what was the executive government of France. In this character alone do they claim to be acknowledged, since their very style describes them as a provisional executive council, and nothing else. If we would preserve our treaty we could not do less;—by sending a minister we should not do more.

"If my argument is satisfactory, I have proved that we have recognized the executive council, and it is notorious that through the medium of M. Chauvelin we have negotiated with them. But, although we have both negotiated and recognized, it would be dishonorable, it seems, to negotiate in such a manner as to imply recognition. How nice are the points upon which great businesses turn! how remote from vulgar apprehension!"——The conclusion of this justly celebrated address is peculiarly striking. "Let us not (says this great statesman) attempt to deceive ourselves. Whatever possibility, or even probability, there may be of a counter-revolution from internal agitation and discord, the means of producing such an event by external force can be no other than the conquest of France. The CONQUEST of FRANCE! O calum-

niated crusaders, how rational and moderate were your objects! O much injured Louis XIV. upon what slight grounds have you been accused of restless and immoderate ambition! O tame and feeble Cervantes, with what a timid pencil and faint colors have you painted the portrait of a disordered imagination!"

There are situations in which minds of strong penetration are privileged to foresee and foretell, with almost prophetic certainty, events which will result from the causes actually existing—situations in which the tendencies of things are perceived to be irresistible, and the catastrophe, morally speaking, to be inevitable. Such were the predictions of a Chatham and a Franklin respecting the contest with America—and such the anticipations of a Fox, in relation to the issue of the MAD CRUSADE, now in the same spirit of delusion, pride, passion, and revenge, projecting against France. The war thus determined upon was not only almost universally applauded as *just and necessary*, conformably to the language of the court, but consecrated as HOLY. It was represented as a war against French IMPIETY and ATHEISM. Religion, so long discountenanced and neglected, not to say ridiculed and despised, was again taken into PLAY. It was strange, to the truly sober and serious part of mankind, to hear persons conspicuous for their profaneness, and hardened in their vices, declare themselves *alarmed*

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at the progress of irreligion and infidelity; and invoke, with ill-assumed devotion, the protection and blessing of Providence in the prosecution of a cause which was asserted to be the cause of GOD and Heaven. That vain and presumptuous confidence in the Divine favor expressed in the successive speeches from the throne during the American war, notwithstanding the final confusion of those arrogant hopes, was now revived in all the ostentation of humility. But kings have long claimed the lofty prerogatives appertaining to the vicegerents of Heaven.*

* Three centuries ago, Edward IV. having in contemplation a war with France, and alleging, as a ground of hostility, the violation of engagements on the part of his adversary Louis XI. in the same spirit of princely pride and pious zeal thus addressed his parliament:—"This contumely I am resolved to punish, and I cannot doubt success: Almighty God still strengthens his arm who undertakes a war for justice.—Besides all that right which led Edward III. our glorious ancestor, and Henry V. our glorious predecessor, we seem to have a deputyship from Heaven to execute the office of the supreme judge in chastising the impious."

"How long shall it be thus? say, Reason, say,
When shall thy long minority expire?
When shall thy dilatory kingdom come?
Haste, royal infant, to thy manhood spring,
Almighty, when mature, to rule mankind!
Thine is the majesty, the victory thine.
For thee reserv'd——————'Tis thine
To end the tall and Titan crimes, that lift

Although the determination of the English court was from the first sufficiently manifest, the government of France left no means unessayed to accomplish an accommodation. On the 27th of December a memorial was presented by M. Chauvelin to lord Grenville, in which he informs his lordship, "that the executive council of the French republic, thinking it a duty which they owe to the French nation not to leave it in the state of suspense into which it has been thrown by the late measures of the British government, have authorized him to demand with openness, whether France ought to consider England as a neutral or hostile power? at the same time being solicitous that not the smallest doubt should exist respecting the disposition of France towards England, and of its desire to remain in peace." In allusion to the decree of the 19th of November, M. Chauvelin says, "that the French nation absolutely reject the idea of that false interpretation by which it might be supposed that the French republic should favor insurrections, or excite disturbance, in any neutral or friendly country whatever. In particular, they declare in the most solemn manner, that France will not attack Holland so long as that power ad-

Ineffectual efforts of the executive council of France to avert the war.

Their heads to Heaven, and laugh at laws.—To thee
All might belongs.—Haste, reach thy ripen'd years,
Mount thine immortal throne, and sway the world!"
FAWCET.

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heres to the principles of her neutrality." As to the navigation of the Scheld, M. Chauvelin affirms it "to be a question of too little importance to be made the sole cause of a war; and that it could only be used as a pretext for a premeditated aggression. On this fatal supposition (he says) the French nation will accept war; but SUCH a war would be the war not of the British nation, but of the British ministry, against the French republic; and of this he conjures them well to consider the TERRIBLE RESPONSIBILITY." To this communication lord Grenville returned a most arrogant and provoking answer. His lordship acknowledged the receipt of a note from M. Chauvelin, *styling himself* Minister Plenipotentiary of France. He reminds him that the king, since the unhappy events of the 10th of August, had suspended all *official* communication with France; and informs him, that he cannot be treated with in the quality and under the form stated in his note. Nevertheless, "under a form neither regular nor official," his lordship condescended to reply—but in a mode which could only tend to inflame the differences subsisting between the two nations; and which, far from accepting the concessions and explanations made by France, sought only to discover new pretences of cavil and quarrel. In a tone of the most decided and lofty superiority, his lordship says "If France is really desirous of maintaining

Indiscretion and rashness of lord Grenville.

friendship and peace with England, she must shew herself disposed to renounce her views of aggression and aggrandizement, and *to confine herself within her own territory*, without insulting other governments, without disturbing their tranquillity, without violating their rights." The relinquishment of her recent conquests being thus haughtily demanded of France as a preliminary of peace, it might well be supposed that negotiation was at an end. But the government of France, in the midst of their triumphs, discovered a degree of temper and moderation in their intercourse with England as surprising as it was laudable. In answer to the letter of lord Grenville, a memorial was transmitted from M. Le Brun, minister of foreign affairs, in the name of the executive council, dated January 4, 1793, framed in terms of singular wisdom and ability, and forming a striking contrast to the pride, petulance, and folly, displayed in the communications of the English minister. They begin with repeating "the assurances of their sincere desire to maintain peace and harmony between France and England. It is with great reluctance (say they) that the republic would see itself forced to a rupture much more contrary to its inclination than its interest."

In reference to lord Grenville's refusal to acknowledge M. Chauvelin in his diplomatic capacity, the council remark, "that in the negotiations

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now carrying on at Madrid, the principal minister of his Catholic majesty did not hesitate to address M. Bourgoign, the ambassador of the republic at that court, by the title of Minister Plenipotentiary of France. But that a defect in point of form might not impede a negotiation, on the success of which depended the tranquillity of two great nations, they had sent credential letters to M. Chauvelin, to enable him to treat according to the severity of diplomatic forms." The council repeat, "that the decree of the 19th of November had been misunderstood; and that it was far from being intended to favor sedition—being merely applicable to the single case where the general will of a nation, clearly and unequivocally expressed, should call for the assistance and fraternity of the French nation. Sedition can never exist in an expression of the general will. The Dutch were certainly not seditious when they formed the generous resolution of throwing off the Spanish yoke; nor was it accounted as a crime to Henry IV. or to queen Elizabeth that they listened to their solicitations of assistance." As to the right of navigation on the Scheld, the council affirm, "that it is a question of absolute indifference to England, little interesting even to Holland, but of great importance to the Belgians, who were not parties to the treaty of Westphalia, by which they were divested of that right: but when that

nation shall find itself in full possession of its liberty, and, from *any motive whatever*, shall consent to deprive themselves of the navigation of the Scheld, *France will not oppose it.* With respect to the charge of aggrandisement, France (they say) has renounced, and still renounces, all conquest; and its occupying the Netherlands will CONTINUE NO LONGER THAN THE WAR.—If these explanations appear insufficient, after having done every thing in our power to maintain peace, we will prepare for war. We shall combat with regret the English, whom we esteem; but we shall combat them without fear."

The reply of lord Grenville to this memorial (dated January 18) was couched in terms still more extraordinary and irritating than the first. His lordship declares "that he finds nothing satisfactory in the result of it. Instead of reparation and retractation, his lordship complains that nothing more is offered than an *illusory negotiation*;" —as if England had a right to expect that France should give up every point in dispute previous to any negotiation; or, as if the offer of evacuating the Netherlands at the termination of the war, and of leaving the Belgians to *settle the question* relative to the Scheld, together with the renunciation of all conquest, and the positive disavowal of the offensive meaning ascribed to the decree of November 19, did not form a proper and sufficient

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basis of negotiation. In fact, by these great concessions, every rational object of negotiation was accomplished before the negotiation itself had formally commenced. "Under this form of *extra-official* communication, nevertheless, (lord Grenville goes on to say) that these explanations are not considered sufficient, and that ALL the MOTIVES which gave rise to the preparations STILL CONTINUE. If, however, under the same *extra-official* form, you have any farther explanations (says his lordship) to give, I shall willingly attend to them." —In a separate note (January 20) his lordship informs M. Chauvelin, that his majesty will not receive his new letters of credence from the French republic. M. Chauvelin then requested a personal interview with his lordship, which was also refused.

At length this extraordinary business was brought to a crisis by a letter from lord Grenville, dated January 24, 1793, in which his lordship says, "I am charged to notify to you, sir, that the character with which you had been invested at this court, and the functions of which have been so long suspended, being now entirely terminated by the fatal death of his Most Christian majesty, you have no longer any public character here: and his majesty has thought fit to order that you should retire from this kingdom within the term of eight days." At this very time M. Maret, a confidential agent of M. Le

French ambassador ordered to depart the kingdom.

Brun, was on his way to England with fresh dispatches from the executive council, and, as there is good ground to believe, fresh concessions of the highest importance. But on his arrival in London, being informed of the compulsive dismission of M. Chauvelin, he did not think himself authorized to open his commission. He therefore merely announced his arrival to lord Grenville, but no advances were made to him on the part of the English court.*

Throughout the whole of this delicate and difficult negotiation it was most clear and manifest that the English minister, in respect both to talents and temper, was utterly unequal to the conduct of it.

* A political writer in the confidence of government, (Mr. Miles) who has attempted the arduous task of vindicating the proceedings of administration, in the whole of this momentous transaction, says: "The propositions which the executive council had authorized M. Maret to offer, and which would have been offered if M. Chauvelin had not left London, but which I am not at liberty to reveal, were so different from the imperious language which M. Le Brun had lately assumed, and the concessions were so much greater than it was reasonable to suppose would have been made after what had passed, that I doubted the sincerity of them at the time." Thus, while general overtures only of amicable negotiation were made, they were stigmatized as vague and illusory;—when followed by specific offers of reparation and redress, they were branded as deceitful and insincere. The events which have resulted from this most impolitic and dangerous contest might well draw repentant tears from its authors;—but, alas! according to the Arabian proverb, "Repentance comes too late, when the city of Basra lies in ashes."

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The sagacious Walpole, placed half a century before him in nearly similar circumstances, far from urging the country by his violence, or inveigling it by his artifices, into a war, opposed the frantic eagerness of the nation to involve themselves in a calamity so dreadful by every possible means. Most unhappily for mankind, in all ages, the wisdom of a Walpole has been compelled to veil to the folly of a Grenville.

The death of the French monarch was in every view a disastrous and mournful event. It is well known that the executive council and a great majority of the conventional assembly were eagerly desirous to have averted this fatal catastrophe; but the violence of the Jacobin faction, and the savage rage of the populace, rendered it impossible. "We may (said M. Le Brun to a confidential friend) sacrifice ourselves without being able to save the life of the king." It was not that the moderate party entertained any doubt of the veracity of the leading charges brought against the king, or, in other words, of his being deeply engaged in the conspiracy against that constitution which he had sworn to defend—for on this point there was never any difference of opinion in France; but they discerned innumerable circumstances of palliation which formed an irresistible claim to compassion and mercy. In England no one attempted to justify the deed; nor, says an animated writer of that time, "is it the season for

extenuation, now that the stream of prejudice flows strong, and the phantasm of a murdered king stalks before our affrighted imagination."

Character of Louis XVI.

The last eventful years of this unfortunate monarch brought his character into full and perfect view. It was conspicuously marked by imbecility and duplicity—by inconstancy, with strange alternations of obstinacy—by temerity suddenly subsiding into fear—by a perpetual distrust of his own judgment, and a transient and limited confidence in that of others. So strongly was the idea impressed upon the public mind of the want of genius, and even of common understanding, in the king, that a general emotion of surprise was created by the calmness and propriety of the answers given by him to the interrogatories of the convention during his trial; and they have been unavailingly urged as proofs of capacity which the whole tenor of his conduct demonstrates that he did not possess. Good-nature bordering upon weakness, humanity allied to indolence, piety tinctured with superstition, and a desire feeble and inefficient to diffuse happiness, were the virtues which must be opposed to his moral and mental defects; and had not the unexampled malignity of his destiny forbidden, they would unquestionably have sufficed to have carried him through life with the reputation of a beneficent and virtuous monarch. His last moments were ennobled by the calmness of resignation, and an unaffected dis-

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play of firmness and fortitude. We are told of him, that he was highly offended at the freedom with which the famous work of the abbé Raynal was written. The republic of Geneva was solicited to prohibit the publication; the parliament of Paris received an injunction to fulminate their judicial, and the Sorbonne their theological, censures against it. Raynal's work nevertheless still exists to inform and enlighten the world; but the Genevan republic, the parliament, the Sorbonne, and Louis XVI. are no more!

As, by an express provision of the treaty of 1786, the dismission of an ambassador was in future to be regarded as a virtual declaration of war, it is almost superfluous to mention the inferior causes of offence given to France immediately prior to that event: 1. By the Alien Bill, empowering the king, in contravention of the treaty of 1786, which stipulates the peaceful and undisturbed residence of the subjects of each power in the dominions of the other, to order, at his discretion, all foreigners to depart the kingdom: 2. By the bill prohibiting the circulation of assignats or other paper securities, issued under the authority of the French government: 3. By a bill of a more serious nature, restraining the exportation of naval stores, arms, and ammunition, including, by a specific mention, the article of saltpetre, of which it was well known that the French were in great need: 4. Also, in direct and palpable violation of the com-

mercial treaty, an act passed at the same time prohibiting the exportation to France, and to France exclusively, of corn imported from the continent —a grievous scarcity of all sorts of grain at this period prevailing in France. This M. Chauvelin, in a memorial presented to lord Grenville expressly on the subject, scrupled not to style an act of perfidy: and it recalled to the recollection of many the detestable measures formerly adopted to *starve* America into submission.

Immediately on the departure of M. Chauvelin a memorial was presented by lord Auckland, ambassador at the Hague, to the States-General, in which his lordship affirms to their high mightinesses, in language which sets all ideas of decorum at defiance, "that not four years ago some WRETCHES, assuming the title of philosophers, had the presumption to think themselves capable of establishing a new system of civil society. In order to realize that dream of their vanity, they found it necessary to overthrow and destroy all received notions of subordination, manners, and religion, which have hitherto formed all the security, happiness, and consolation, of the human race. Their destructive projects have but too well succeeded. But the effects of the new system which they endeavoured to introduce served only to shew the imbecility and villany of its authors. The events which so rapidly followed each other since that epoch, surpass in atrocity all which have ever polluted the pages

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of history. Property, liberty, security, even life itself, have been deemed play-things in the hands of infamous men, who are the slaves of the most licentious passions—of rapine, enmity, and ambition."

Such were the terms in which the wisdom of the English court thought it becoming to speak of the existing government of France! If any thing could add to the astonishment excited by this conduct, it would be that a commission was at the same time, or immediately afterwards, sent over to the same ambassador, to set on foot a negotiation with M. Dumouriez, commander of the armies of the government thus publicly vilified, in order to effect an accommodation of differences. Whether this overture was really serious, or whether, according to the declared opinion of M. Dumouriez himself, it was merely amusive and insidious, such a *prelude* must be equally the subject of admiration. In either case it came too late to answer the purpose. The convention, on being apprised of the rude and hostile dismission of their ambassador, had taken their ultimate resolution; and on the first of February, 1793, a decree unanimously passed that assembly, declaring the REPUBLIC of FRANCE at WAR with the KING of GREAT BRITAIN and the STADTHOLDER of HOLLAND.

War declared by France against England and Holland.

END OF THE EIGHTH VOLUME.

T. Gillet, Printer, Salisbury-square.

APPENDIX:

CONTAINING

STATE PAPERS AND AUTHORITIES,

TO THE

EIGHTH VOLUME.

LETTER FROM THE EMPRESS OF ALL THE RUSSIAS TO HIS PRUSSIAN MAJESTY.

A. D. 1784.

MY advantageous sentiments respecting the house of Prussia—sentiments of which I have given efficacious proofs—permit me to hope for the same on their part. I expect it the more, as I have ever been convinced of their reciprocal affection. The war which is preparing between the emperor of the Romans and the Hollanders, excites the immediate attention of the cabinet of Berlin, of which the Dutch endeavour by all sorts of intrigues to secure the accession. Your wisdom acknowledges that the pretensions of the emperor are equally just and moderate. Nature herself hath granted to the Austrian low countries, the use and advantage of the river in dispute: Austria alone, by virtue of the law of nature and of nations, is entitled to an exclusive right to the use of the river in question. So that the equity and disinterestedness of Joseph II. only can impart this right to other people, it belonging exclusively to his states. The sentiments of Austria merit esteem and attention; but the avidity of the Dutch, and

the judgment which they permit themselves to assume on account of the treaty of Munster, over the house of Austria, are notorious and blameable in every respect. Nothing can be urged with foundation in favour of Holland, therefore she merits not the assistance of any foreign power. The consequences which these republicans are drawing upon themselves by their obstinacy, must be submitted to the moderation of the emperor alone. I am firmly resolved to assist his pretensions with all my land and sea forces, with as much efficacy, as if the welfare of my own empire was in agitation. I hope that this declaration of my sentiments will meet with the success which our reciprocal friendship deserves, and which hath never been interrupted*.

CATHERINE.

DECLARATION OF THE KING OF PRUSSIA TO THE COURT OF LONDON, RESPECTING BAVARIA.

A. D. 1785.

THE king believed he had every reason to expect that the court of Vienna had given up all thoughts of an exchange of Bavaria, or an acquisition thereof in any other manner, after such an acquisition had been proved to the said court to be inadmissible in the conferences held at

* Strongly as the empress of Russia was no doubt at this period, inclined to cultivate a good correspondence with the emperor of Germany, of which the preceding declaration is a striking proof, she was far from discovering any degree of zeal in promoting his views upon Bavaria, an object of incomparably greater consequence than the free navigation of the Scheld. She did indeed write to the duke of Deux-ponts, to propose to him in the name of the emperor, and to recommend to him in her own name, the invidious exchange of that territory for the Austrian Netherlands; but upon the peremptory refusal of that prince to acquiesce in the project, and on receiving a strong remonstrance from the court of Berlin against it, she protested that she had no intention to enforce the execution of the design; and that she had dropped all farther concern in the business.—*Vie de Catherine II.* vol. iii. p. 165.

Braunau, in the month of September, 1778; after the said court had renounced all its pretensions on Bavaria, by the peace of Teschen, and had become itself, together with the other contracting and mediating powers of that peace, guarantee of the covenants of the house Palatine, whereby that house is not allowed any alienation, or as it is expressed, "any exchange of its possessions." His majesty, however, having been apprized in the month of January of the present year, by the duke of Deux-ponts, that the court of Vienna had, notwithstanding these important considerations, proposed to that prince an exchange of the whole of Bavaria, together with the upper county Palatine, and the duchies of Neuburg and Sulzbach, for a part of the Austrian Netherlands; his majesty was anxious to communicate his uneasiness on that account to the empress of Russia, as guarantee of the peace of Teschen. The answer which her Imperial majesty gave to the king, through her minister, prince Dolgoroucki, "that after the refusal of the duke of Deux-ponts, there was no more thought about such an exchange," might have been a sufficient assurance to the king, if his majesty could have been equally secure with respect to the intentions of the court of Vienna. But that court has too evidently shewn by the steps taken in the course of the present year, as well as by the system it has at all times pursued, that it cannot bring itself to an entire renunciation of the project of making sooner or later an acquisition of Bavaria.

The said court, after having in its first circular declaration, disseminated the existence of this project, assures indeed in the latter, an intimation of the declaration of the court of Russia, that it never entertained, nor ever should entertain, the least thought of a violent or forced exchange of Bavaria. But this distinction between forced and voluntary, shews evidently that the court of Vienna still entertains an idea of the possibility of a barter of Ba-

varia. This conjecture, already strong enough in itself, is too well confirmed by the assertion of the court of Vienna, "that by virtue of the peace of Baden, the house Palatine has full liberty to exchange its possessions." It is true, the eighteenth article of the peace of Baden says, "that in case the house of Bavaria finds it convenient to make some exchange of its possessions in return for others, his most Christian majesty promises not to oppose the same." It follows clearly, however, from this very article, that the contracting parties did not mean thereby to allow to the house of Bavaria any thing farther than a partial exchange of some district or piece of country suitable to its interest: but it certainly was not, nor could it be understood at that time, to allow a total exchange of a large electorate and fief of the empire (which being under the disposition of the golden bull, was not at all liable to an alteration of this nature), which would have too nearly affected and overturned the essential constitution of the electoral college, and even the integrity of the whole confederate system of the empire. Admitting even, that by the peace of Baden, the house of Bavaria was allowed to make a partial exchange suitable to its interest, of some part of its possessions, this power has since been abrogated by the eighth article of the peace of Teschen, and by the separate act concluded at the same time between the elector Palatine and the duke of Deux-ponts; because the covenants of the house Palatine, of the years 1766, 1771, and 1774, are therein renewed, whereby all the possessions of the house of Bavaria Palatine, are charged with a perpetual and inalienable fideicomis.

The ancient pragmatic sanction of that house, concluded at Pavia in the year 1329, is likewise referred to therein, whereby that whole illustrious house has bound itself never to exchange, nor otherwise alienate, the least part of its possessions. Now as the peace of Teschen, together with all its separate acts, is under the guarantee of the king and

the elector of Saxony, as principal contracting parties of that peace; likewise under the guarantee of the two mediating powers, the courts of Russia and France, and the whole empire; it follows therefore, that no exchange of Bavaria whatever can any more take place, without the consent and concurrence of the powers just mentioned; and especially not without the intervention of the king and all his co-estates of the empire, whose essential interest it is, that this great and important duchy of Bavaria should remain with the house Palatine: because it must be striking to every body, that independent of the geographical and political disproportion between the Austrian Netherlands and the whole of Bavaria, the transferring of so large and fine a country to the house of Austria, and thereby rounding, as it were, the Austrian monarchy, which already preponderates too much, would take away all balance of power in Germany; and the security as well as the liberty of all the states of the empire, would only depend upon the discretion of the house of Austria. It seems that this great and powerful house ought to be contented with its vast monarchy, and not to think any more of an acquisition so alarming not only to Germany, but likewise to all Europe.

It should likewise remember, that in the barrier treaty of 1715, it has promised to the maritime powers, never to alienate any part of the Netherlands to any prince, but of its own house; a stipulation which cannot be set aside without the consent of the contracting parties. The king cannot therefore but be persuaded by all that has been advanced, that the court of Vienna will not very soon, or perhaps never, give up the project of making sooner or later an acquisition of Bavaria by some means or other; and that according to the principles manifested still in its latter circular declaration, it reserves to itself yet the possibility and power thereof. His majesty thought he could not in this case do less for his own security, as well as for

that of the whole empire, than to propose to his co-estates to enter into an association, conformable to all the fundamental constitutions of the empire, viz. the peace of Westphalia, and the capitulations of the emperors; and founded upon the example of all centuries, tending only to preserve the present and legal constitution of the empire, to maintain every member thereof in the free and tranquil enjoyment of his rights, states, and possessions, and to oppose every arbitrary and illegal enterprise, contrary to the system of the empire. His majesty having met with the same sentiments in the most serene electors of Saxony, and of Brunswick Lunenburg, has just now concluded and signed a treaty of union with them; which treaty is not offensive against any person, nor any way derogatory to the dignity, rights, and prerogatives of his majesty the emperor of the Romans, and which has absolutely nothing for its object, but to maintain the constitutional system of the empire, and the objects just mentioned: and which therefore cannot give the least uneasiness to the court of Vienna, if that court has the same views and intention for the preservation of the said system, as there is reason to expect, and as is indeed expected, from the greatness of soul and loyalty of the head of the empire. It cannot be doubted, that the king as an elector and prince of the empire, and as one of the contracting parties, and guarantee of the peace of Westphalia and Teschen, has an incontestible right to conclude with his co-estates of the empire such a constitutional and inoffensive treaty.

The king having engaged in a war to prevent the exchange of all farther dismemberment of Bavaria, which war was put an end to by the peace of Teschen, his majesy has hereby acquired a right, and a particular and permanent interest, to oppose any exchange of Bavaria, present and future; and in doing this by such measures as are conformable to the laws of nations, and to those of the German empire, his majesty only fulfils his obligations

and rights, without provoking the dissatisfaction or reproach of the court of Vienna, and without giving any just cause to attribute to him any offensive views or steps against that court. The king could not therefore but be in some measure affected and surprised, when informed that the court of Vienna exclaimed against this union, in its declarations publicly addressed to all the courts of Europe and of the empire, endeavouring even to give to the said treaty an odious colour.

His majesty believes not to have given the least cause for such a proceeding; but rather to have merited more justice for his open, patriotic, and disinterested conduct, as well before as after the peace of Teschen, in what regards Bavaria and the house Palatine. His majesty will not imitate the manner adopted in the said declaration. He will take special care not to recriminate. He will satisfy himself with appealing to the testimony of the electors and princes of the empire, who will attest, that without any suggestion or accusation whatever, he has confined himself to evince to them the inadmissibility and danger of any exchange of Bavaria, and to propose to them to enter into such a constitutional treaty as may be laid before the whole world.

To remove every doubt about the purity of the intentions of the king, and the justice of the steps he has taken, his majesty thinks it his duty to make the conclusion of this treaty, and the motives which occasioned it, known to the principal powers of Europe, who are any ways concerned about the welfare of the German empire, and the preservation of its system. The king has done this by the present declaration, which he would not fail to communicate likewise to his Britannic majesty, as a mark of his confidence and attention, and of his desire to secure himself the suffrage of his Britannic majesty, though he, as elector of Brunswick Lunenburg, has himself already concurred in the conclusion of the treaty, and has thereby given indubitable proof how much his sentiments coincide

with those of the king, about the necessity of the said treaty, and the objects which gave occasion to it.

The king is particularly happy to have added these new ties to the friendship and intimacy which has already for so long a time subsisted between the two royal houses, and to entertain with his Britannic majesty the same sentiments for the welfare of the German empire, as their common country, and for the support of a system which has an essential influence upon the happiness of the rest of Europe.

Berlin, Aug. 23, 1785.

ANSWER DELIVERED BY THE MARQUIS OF CARMARTHEN TO COUNT LUSI,

IN CONSEQUENCE OF THE PRECEDING COMMUNICATION.

The king has received with pleasure the communication which count Lusi has made by order of his Prussian majesty to lord Carmarthen, of the sentiments of his said majesty, respecting the treaty signed at Berlin the 23d July, in the concluding of which the king himself, in his electoral capacity, was pleased to concur.

The lively interest which his Prussian majesty never ceases to take for the maintenance of the Germanic constitution, and the preservation of the rights of every member of the empire, cannot but deserve the greatest praise from those powers who are true friends to the prosperity and well-being of that respectable confederation. And at the same time that the court of London is eager to render this justice to the patriotic views of his Prussian majesty, it flatters itself that the measures of precaution which the three electoral courts have thought proper to take, may never become necessary by any attack either direct or indirect upon the acknowledged rights of the Germanic body;

but that for the future the most solid harmony may be re-established, and the most sincere confidence for ever subsist, between the august chief and the illustrious members of the empire.

St. James's, Sept. 9th, 1785.

The above declaration or memorial of the king of Prussia is very masterly, and exhibits a frankness and candour rarely to be found in documents of state. The arguments of the monarch, as applied to the balance of power in Germany, are indeed irrefragable; but what interest could England have to prevent the house of Austria from acquiring that political ascendancy in the empire which the accession of Bavaria would so much facilitate? A just policy may undoubtedly be carried to extravagant lengths, or may be prosecuted by absurd methods: but as the power of France alone can be formidable to England, it is evidently right and proper to embrace all fair and feasible means of effecting a diminution of it; or, when that cannot be done, of maintaining and supporting the rivalship of the house of Austria, as the only power of the continent which can sustain a permanent competition with France. It follows, that Great Britain, in fostering the growth and greatness of Prussia, and raising up a dangerous enemy to the Imperial family in the bosom of the empire, has been chargeable with a fundamental error in politics. And in the present instance, had the court of London, in conjunction with that of Petersburg, countenanced the views of the court of Vienna, in almost the only rational plan formed by the emperor Joseph II., Bavaria might probably have been for ever annexed to the Austrian monarchy. The low countries in the hands of the elector Palatine would have been, in case of future war, a neutral possession, not affording any plausible pretext of

attack from France; and England would consequently have one powerful motive less to interfere in the complicated quarrels of the continent.

MEMORIAL RELATIVE TO THE ALLIANCE CONCLUDED BETWEEN FRANCE AND HOLAND, NOVEMBER 8, 1785.

Such was the complete alienation from Britain which the conduct of the court of London produced in Holland, that on the conclusion of the war, little difficulty was found by the court of Versailles in adjusting the particulars of an alliance of amity and mutual defence with their high mightinesses the States-general, by which they agreed not only to furnish each other with powerful succours in case of attack, but, to use the words of the treaty, "by virtue of the contracted alliance, both parties shall as much as possible further their mutual prosperity and advantage, by rendering each other every assistance upon all occasions, and not to agree to any treaties or negotiations which may be detrimental to each other, but shall give notice of any such negotiations, &c. as soon as they are proposed."

Entirely to forfeit the friendship and confidence of the Dutch republic, and to see that friendship and confidence transferred to the ancient and formidable enemy of Britain, were subjects of chagrin reserved for the unfortunate reign of George III.; and they appear to have been keenly felt by the ministers now at the helm of affairs. In the anxious apprehension of such an event, sir James Harris, who had succeeded sir Joseph Yorke as ambassador at the Hague, delivered into the hands of the hebdomadary president of the States-general, the following memorial, though the

intelligence of the ambassador was so deficient, that he was not aware the treaty in question had been actually signed several days before.

HIGH AND MIGHTY LORDS,

THE king cannot but express the most sincere wish that the means pursued by your high mightinesses to conciliate the differences with the emperor, may secure a peace upon a lasting and permanent basis between the two powers.

His majesty takes with pleasure this opportunity, amidst the public tranquillity, to renew to your high mightinesses the strongest assurances of those sentiments of friendship and good-will towards the republic, which ever animated his majesty, as well as the British nation. Such sentiments are equally founded on the remembrance of the essential assistance which the two countries have formerly mutually afforded to each other, in order to secure their liberty, independence, and religious worship, as on the natural and permanent interest which ought at all times to incline both nations to the most perfect friendship.

In fact, whether we attend to the evils which from the local situation of the two countries must unavoidably, and in a very peculiar manner, affect them during a war, to the great prejudice of their dearest concerns both in political and commercial matters in the different parts of the world, or whether due attention be paid to the solidity which a good understanding between the two powers might give to their respective settlements, to trade, and to the preservation of a general peace, it will clearly appear that prudence and sound policy must invite to a closer union.

Yet if your high mightinesses are of opinion, that on account of the civil dissentions which for some time have

unfortunately prevailed within the republic to his majesty's great concern, the present time is ill-suited to the settling of the mutual interests of both nations, an object ever present to his majesty, it is hoped at least that your high mightinesses, after such assurances from the king, and all his majesty's friendly dispositions towards the republic, will think it suitable to your wonted wisdom, not to be drawn in to accept of any engagements which might at any time betray you into a system contrary to that rectitude which hath ever guided his majesty; or, by making you swerve from the solid basis of an independent neutrality, raise insuperable obstacles to the renewal of an alliance between the two powers, when time and circumstances may present it to your high mightinesses as a matter of necessity and mutual conveniency.

It is by the express command of his majesty, that the underwritten has the honour of suggesting to your high mightinesses these reflections, so salutary in their object, trusting that you will pay to them that attention which the importance of the matter requires.

Signed,

JAMES HARRIS.

It is extremely to be regretted, that the political sentiments contained in this memorial—sentiments proper at all times to be cherished by a British ministry—should be brought forward in circumstances so unfortunate, that the avowal of them could only excite the derision of Holland, and the triumph of France. The language also of the memorial, was by no means such as might seem best calculated to conciliate an offended friend, converted into an inveterate foe by the recollection of recent and unatoned injuries. For the ambassador of Great Britain to declare publicly to the Dutch government and nation, that the British monarch had in every point adhered to that perfect system of rec-

titude from which the States-general, whom he previously and awkwardly compliments upon their wisdom, were in extreme danger of being betrayed by the artifices of another power to *swerve*, would naturally tend to revive those feelings of resentment and detestation which time only could extinguish.

The whole exhibits a striking picture of that species of repentance which laments the unavoidable consequences of those errors, which there exists not, if perceived, the least disposition to acknowledge.

CONVENTION OF THE UNITED STATES OF NORTH AMERICA.

A. D. 1787.

Of the celebrated convention of the North American states, convoked at the city of New York, A. D. 1787, for the purpose of forming, and which did in fact form and establish the existing federal constitution of America, the debates were secret. No copies were permitted to be taken of their resolutions, no publication appeared of their journals. The only memorials of the proceedings of this assembly, previous to their ultimate decisions, are contained in the notes privately preserved by some of the members. To one of these we are indebted for the transcript of the speech delivered by the venerable Franklin, on the grand question of the adoption of the proposed constitution by the convention—a speech of singular value, as it shews in a striking point of view, how much sense and wisdom may be comprised in a narrow compass.

A single house of legislature, and an executive government extremely limited in its power, with frequent popular elections of the persons exercising public functions, formed, in the opinion of Dr. Franklin, the most perfect model of a

constitution. The unrivalled happiness and prosperity of the state of Connecticut, governed altogether upon this model, gave great countenance to this opinion. The illustrious philosopher, politician, and patriot, who was the advocate of it, did not perhaps sufficiently advert to the peculiar circumstances which in that province, as well as in the other democratic states of the American union, restrained the turbulent and dangerous spirit of democracy within just and reasonable limits—circumstances which by no means applied with equal force to the federal or general power. But that great man had too much practical wisdom to lay any undue stress on his own abstract speculations.

SIR,

I am very ready to acknowledge, that I do not at this moment entirely approve of the constitution now offered to us; but I am not the less ready to own, that I do not feel myself sure of continuing in my present sentiments. In the long career I have already run, I have more than once been compelled by subsequent reflection, to abandon opinions I had openly maintained, and which I thought well-founded, from the deep consideration I had given them. As I grow older I am more and more disposed to question my own judgment, and to pay respect to that of others. There are some men, as well as some religious sects, who imagine that reason is entirely on their side, and that their opponents plunge deeper into error, in proportion as they depart from their opinions. Struck with these examples, which are but too common, I accept of this constitution with all its faults; for I am persuaded that a general government is necessary for our safety, and that no form of government that is well administered, is incapable of producing the happines of the people. And I think there is reason to believe that this constitution will be well administered for a number of years, and that it

will not end as too many other governments have done, in despotism, unless the American people shall reach that degree of corruption in which, at once incapable of being directed by a free constitution, and unworthy of its blessings, despotism becomes necessary to their existence. I therefore give my vote for this constitution, both because in the present circumstances of this nation I cannot hope to see one more perfect, and because I am not sure this is not as perfect as any it can have. I make a sacrifice of the opinions I have expressed of its defects, to the public happiness.

I have never uttered my objections out of this house. Here they had their birth, and here I wish them for ever to be buried. If every one of us who have opposed the constitution, when we return to our constituents, were to unfold the motives of our opposition, and endeavour to gain partisans to our side, perhaps we might prevent the unanimous adoption of the constitution. But by this we should only lose the advantage which the appearance of unanimity will give us with foreign nations, and indeed with our own people. The general good opinion of a nation respecting its government, is as necessary as the wisdom and integrity of its administration to the happiness of its people. I trust therefore, both for our own safety as members of the community, and for the sake of our posterity, that we shall be of one mind in recommending this constitution wherever our influence reaches, and that afterwards our whole thoughts will be bent to its happy administration.

I cannot forbear to form the wish, that such of us as still entertain objections to this constitution, will follow my example, and doubt a little of their infallibility, and sign this constitutional act, that no question may be left of our unanimity.

DECLARATION ON THE PART OF GREAT BRITAIN, RELATIVE TO THE AFFAIRS OF HOLLAND,

OCTOBER 27, 1787.

THE events which have taken place in the republic of the United Provinces, appearing no longer to leave any subject of discussion, and still less of contest, between the two courts, the undersigned are authorized to ask, whether it is the intention of his most Christian majesty to carry into effect the notification made on the 16th September last, by his most Christian majesty's minister plenipotentiary, which, by announcing that succours would be given in Holland, has occasioned the naval armaments on the part of his majesty, which armaments have become reciprocal.

If the court of Versailles is disposed to explain itself upon this subject, and upon the conduct to be adopted towards the republic, in a manner conformable to the desire which has been expressed on both sides to preserve the good understanding between the two courts; and it being also understood at the same time, that there is no view of hostility towards any quarter in consequence of what has passed; his majesty, always anxious to concur in the friendly sentiments of his most Christian majesty, would agree with him that the armaments, and in general all warlike preparations, should be discontinued on each side, and that the navies of the two nations should be again placed upon the footing of the peace establishment, as it stood on the first of January of the present year.

Versailles, the 27th October, 1787.

DORSET.

W. EDEN.

COUNTER DECLARATION ON THE PART OF FRANCE.

THE intention of his majesty not being, and never having been, to interfere by force in the affairs of the republic of the United Provinces, the communication made to the court of London, on the 16th of the last month, by monsieur Barthelemy, having had no other object than to announce to that court an intention, the motives of which no longer exist, especially since the king of Prussia has imparted his resolution, his majesty makes no difficulty to declare, that he will not give any effect to the declaration above-mentioned, and that he retains no hostile view towards any quarter relative to what has passed in Holland. His majesty, therefore, being desirous to concur with the sentiments of his Britannic majesty, for the preservation of the good harmony between the two courts, agrees with pleasure with his Britannic majesty, that the armaments, and in general all warlike preparations, shall be discontinued on each side, and that the navies of the two nations shall be again placed upon the footing of the peace establishment, as it stood on the first of January of the present year.

Versailles, the 27th October, 1787.

THE COUNT DE MONTMORIN.

An explanation of a similar nature at the same time took place between the courts of Versailles and Berlin; and the kings of Great Britain and Prussia had thus the satisfaction of accomplishing their views in Holland, in favour of the house of Orange, with extraordinary and unexpected facility. A few historic remarks on the origin and progress of the civil dissentions which at this period seemed almost to menace the existence of the Dutch republic, may not be wholly unacceptable or superfluous.

At the conclusion of the war with England (A. D. 1783), it is certain that the party opposed to the Stadtholder was beyond comparison the most powerful in all the provinces, excepting Utretcht and Guelderland. Had this party exercised their newly acquired superiority with temper and moderation, they might probably long have retained their influence in the state, and the political connexion actually formed with France, would have given such an addition of weight to their authority, that it would have been extremely difficult for the house of Orange to have emerged from its state of degradation. But the leaders of this faction soon shewed that they were actuated by very deep views of ambition; that they aimed not merely to counteract the policy, but effect the subversion of that ancient and illustrious house, and to extinguish for ever the name and office of Stadtholder. There were undoubtedly very many persons in the seven provinces, and those for the most of a description highly respectable, who greatly disapproving the weak and partial, not to say treacherous, conduct of the prince of Orange, were yet extremely averse to the abolition of the Stadtholderate, the power and influence attached to which, seemed necessary to the strength and stability of the state. The name of Nassau was still popular amongst the lower classes of the people; and the sailors in particular, together with a great majority of the naval officers, were supposed to be strongly in the prince's interest. The two great powers of England and Prussia, had clearly intimated that they would not remain the indifferent spectators of his ruin, and it was upon the whole sufficiently evident to every considerate person, that the views of the Anti-Stadtholderian faction, could not be accomplished, but by exciting some great political convulsion in the state.

This, however, did not deter them from proceeding step by step to the attainment of their purpose. In September 1785, the states of Holland, which took the lead

in this dangerous opposition, went so far as to deprive the prince of the command of the garrison at the Hague, in consequence of which affront he left that place, and retired to his palace at Loo. The king of Prussia, Frederic III. was at this period deeply engaged in opposing the favourite project of the emperor Joseph II. for the exchange of Bavaria. Nevertheless, in the course of that month, he addressed a letter to the States-general, expressing in very decided language, his dislike and disapprobation of the late proceedings, and requesting the interposition of their high mightinesses in favour of the house of Orange; "and that you will address," as the letter goes on to say, "with zeal both the lords states of Holland and West Friezland, and the states of the other provinces, where necessary, in order that the lord hereditary Stadtholder may peaceably enjoy the rights belonging to him hereditarily: that those taken from him may be restored, and that a perfect harmony may be re-established."

The party in opposition to the Stadtholder, or the patriots, as they were generally styled, elated by the French alliance, knowing the king of Prussia, exclusive of the inaction which usually accompanies old age, to be much more nearly interested in the affairs of Bavaria than those of Holland, and depending on the supposed pacific disposition of the new minister of England, Mr. Pitt, paid very little attention to the remonstrances and representations of the courts of Berlin and London, and continued without intermission their attacks upon the constitutional authority and functions of the prince.

At the commencement of the new year (1786), it was determined that the arms of the house of Orange should be taken out of the colours of the troops in the service of the province of Holland: and the Swiss guard attendant on the person of the prince was soon after ordered to be disbanded.

On the 17th August, 1786, in the midst of the distrac-

tions which shook the republic to its foundations, died Frederic the Great, king of Prussia, an event extremely unpropitious to the popular party, as there was good reason to believe that his nephew and successor, Frederic William, would support the prerogatives and pretensions of Stadtholder, by means much more efficacious than bare memorials and remonstrances. These, however, were first to be tried, and so early as the 18th September following, the count de Goertz, envoy extraordinary from his Prussian majesty, delivered to the States-general a letter from the king his master, expressing the desire he felt to perpetuate the friendship and harmony which had subsisted for centuries between the two powers. "And also," to use the precise words of the letter, "to demonstrate the warm part we take in the unhappy dissentions which have so long divided some of the provinces;" and *requesting* "that the affairs of the prince Stadtholder may be re-established as soon as possible, upon their former footing, conformable to the *constitution*." Far from complying with this regal request, the anti-Stadtholderian influence prevailed so far, that in four days only after the presentation of the letter, the states of Holland came to an almost unanimous resolution, suspending the prince from the exercise of his functions as captain-general of that province. Conscious of the advantage he now possessed, and the strength he derived from the potent cooperation of the court of Berlin, the Stadtholder on the 26th September, addressed to the states of Holland, an answer to their notification of his suspension, couched in bold and energetic terms; questioning the right of revocation altogether, and expressly denying by a singular pretension, that the right, if admitted, could not in the present case be exercised, unless the resolution had passed like the former, by which the office had been conferred, *nemine contradicente*, and finally ascribing the measures recently taken, to the misrepresentations of persons, whose

sole aim it was to bring about a total alteration in the lawful and established c stitution of the republic.

As it was still presumed by the court of Berlin, that France would not tamely suffer any coercive interference in favour of the Stadtholder, an attempt which appears very sincere, was set on foot by the Prussian monarch, to settle all differences in the course of the ensuing winter, by a joint mediation with France; M. Gerard de Rayneval being commissioned by the court of Versailles for this purpose, to repair to Nimeguen, where the prince of Orange had now established his residence. The negotiation nevertheless failed of success; the prince, encouraged doubtless by Prussia, and probably by England, insisting upon the entire restitution of his privileges and prerogatives, which would after all have left the efficient power of the state in the hands of the patriots; and on the other hand, the anti-Stadtholderians in the provincial assembly of Holland, refusing to restore him to his office of captain-general, but on conditions which would have reduced him to a mere cypher.

The count de Goertz, and M. de Rayneval, departed to their respective courts in the month of January 1787, from which time it was apparent, that unless prevented by foreign interposition, the republic would quickly be involved in the horrors of a civil war; and hostilities in the province of Utrecht had actually commenced, with some advantage on the part of the prince, whose partisans increased in consequence of the violence of his adversaries; and whose influence at this period appeared to predominate in the assemblies of all the provinces, Holland, Overyssel, and Groningen excepted; and proportionally in that of the States-general. In reply to an overture of mediation from the ministers of Great Britain and Prussia, the states of Holland voted that they would accept of no mediator but the king of France. At this period, Prussia was assembling troops with great diligence at Cleve, on the

frontier of the republic, and France slowly, at the remote station of Givet.

Matters were at length brought to a crisis, by the arrest of the princess of Orange, on the 28th of June, between Schoonhoven and Gouda, on her progress to the Hague. Early in September, the duke of Brunswick entered the Dutch territory, and in the space of a single month, made himself master of the whole country; France, upon whose powerful protection the patriots of Holland fondly relied, being at this time in a state of extreme internal disquiet, and exhibiting under the weak administration of the archbishop of Toulouse, no symptoms of spirit or vigour. The king of France had indeed, previous to the march of the Prussians, notified to the court of London by his ambassador, the resolution he had formed to resist all foreign interference in the affairs of Holland; but from this declaration that monarch, as the preceding documents demonstrate, subsequently receded with unexpected but laudable inconsistency.

LETTER FROM THE RIGHT HONOURABLE WILLIAM PITT TO THE PRINCE OF WALES.

A. D. 1788.

SIR,

THE proceedings in parliament being now brought to a point which will render it necessary to propose to the house of commons, the particular measures to be taken for supplying the defect of the personal exercise of the royal authority during the present interval; and your royal highness having some time since signified your pleasure that any communication on this subject should be in writing, I take the liberty of respectfully entreating your royal highness's permission, to submit to your consideration, the outlines of the plan which his majesty's confidential servants humbly conceive, according to the

best judgment which they are able to form, to be proper to be proposed in the present circumstances.

It is their humble opinion, that your royal highness should be empowered to exercise the royal authority in the name and on the behalf of his majesty, during his majesty's illness, and to do all acts which might legally be done by his majesty; with provisions, nevertheless, that the care of his majesty's royal person, and the management of his majesty's household, and the direction and appointment of the officers and servants therein, should be in the queen, under such regulations as may be thought necessary.

That the power to be exercised by your royal highness should not extend to the granting the real or personal property of the king (except as far as relates to the renewal of leases); to the granting any office in reversion; or to the granting for any other term than during his majesty's pleasure, any pension, or any office whatever, except such as must by law be granted for life, or during good behaviour; nor to the granting any rank or dignity of the peerage of this realm to any person, except his majesty's issue who shall have attained the age twenty-one years.

These are the chief points which have occurred to his majesty's servants. I beg leave to add, that their ideas are formed on the supposition that his majesty's illness is only temporary, and may be of no long duration. It may be difficult to fix before-hand, the precise period for which these provisions ought to last; but if unfortunately his majesty's recovery should be protracted to a more distant period than there is reason at present to imagine, it will be open hereafter to the wisdom of parliament to reconsider these provisions, whenever the circumstances appear to call for it.

If your royal highness should be pleased to require any farther explanation on the subject, and should condescend to signify your orders that I should have the honour of

attending your royal highness for that purpose, or to intimate any other mode in which your royal highness may wish to receive such explanation, I shall respectfully wait your royal highness's commands.

I have the honour to be, with the utmost deference and submission,

SIR,

your royal highness's

most dutiful and devoted servant,

WILLIAM PITT.

Downing-street,
Tuesday night, Dec. 30, 1788.

DECLARATION OF THE PRINCE OF WALES, IN ANSWER TO THE LETTER OF MR. PITT.

A. D. 1789.

THE prince of Wales learns from Mr. Pitt's letter, that the proceedings in parliament are now in a train which enables Mr. Pitt, according to the intimation in his former letter, to communicate to the prince, the outlines of the plan which his majesty's confidential servants conceive to be proper to be proposed in the present circumstances.

Concerning the steps already taken by Mr. Pitt, the prince is silent. Nothing done by the two houses of parliament can be a proper subject of his animadversion; but when, previously to any discussion in parliament, the outlines of a scheme of government are sent for his consideration, in which it is proposed that he shall be personally and principally concerned, and by which the royal authority and the public welfare may be deeply affected, the prince would be unjustifiable, were he to withhold an explicit declaration of his sentiments. His silence might be construed into a previous approbation of a plan, the accomplishment of which every motive of duty to his father

and sovereign, as well as of regard for the public interest, obliges him to consider as injurious to both.

In the state of deep distress in which the prince and the whole royal family were involved by the heavy calamity which has fallen upon the king, and at a moment when government, deprived of its chief energy and support, seemed peculiarly to need the cordial and united aid of all descriptions of good subjects, it was not expected by the prince, that a plan should be offered to his consideration, by which government was to be rendered difficult, if not impracticable, in the hands of any person intended to represent the king, much less in the hands of his eldest son, the heir apparent of his kingdoms, and the person most bound to the maintenance of his majesty's just prerogatives and authority, as well as most interested in the happiness, the prosperity, and the glory of the people.

The prince forbears to remark on the several parts of the sketch of the plan laid before him. He apprehends it must have been formed with sufficient deliberation, to preclude the probability of any argument of his producing an alteration of sentiment in the projectors of it. But he trusts with confidence to the wisdom and justice of parliament, when the whole of this subject, and the circumstances connected with it, shall come under their deliberation.

He observes, therefore, only generally on the heads communicated by Mr. Pitt; and it is with deep regret the prince makes the observation, that he sees in the contents of that paper, a project for producing weakness, disorder, and insecurity, in every branch of the administration of affairs—a project for dividing the royal family from each other—for separating the court from the state; and, therefore, by disjoining government from its natural and accustomed support, a scheme for disconnecting the authority to command service from the power of animating it by reward—and for allotting to the prince all the

invidious duties of government, without the means of softening them to the public by any one act of grace, favour, or benignity.

The prince's feelings, on contemplating this plan, are also rendered still more painful to him, by observing that it is not founded on any general principle, but is calculated to infuse jealousies and suspicions, wholly groundless he trusts, in that quarter whose confidence it will ever be the first pride of his life to merit and obtain.

With regard to the motive and object of the limitations and restrictions proposed, the prince can have but little to observe. No light or information is offered him by his majesty's ministers on these points. They have informed him what the powers are which they mean to refuse him, not why they are withheld.

The prince, however, holding as he does, that it is an undoubted and fundamental principle of this constitution, that the powers and prerogatives of the crown are vested there as a trust for the benefit of the people, and that they are sacred only as they are necessary to the preservation of that poise and balance of the constitution, which experience has proved to be the true security of the liberty of the subject, must be allowed to observe, that the plea of public utility ought to be strong, manifest, and urgent, which calls for the extinction or suspension of any one of those essential rights in the supreme power or its representative; or which can justify the prince in consenting, that in his person an experiment shall be made to ascertain with how small a portion of the kingly power the executive government of this country may be carried on.

The prince has only to add, that if security for his majesty's re-possessing his rightful government, whenever it shall please Providence, in bounty to the country, to remove the calamity with which he is afflicted, be any part of the object of this plan, the prince has only to be convinced that any measure is necessary, or even conducive to

that end, to be the first to urge it, as the preliminary and paramount consideration of any settlement in which he would consent to share.

If attention to what is presumed might be his majesty's feelings and wishes on the happy day of his recovery, be the object, it is with the truest sincerity the prince expresses his firm conviction, that no event would be more repugnant to the feelings of his royal father, than the knowledge, that the government of his son and representative had exhibited the sovereign power in a state of degradation, of curtailed authority, and diminished energy—a state hurtful in practice, to the prosperity and good government of his people, and injurious, in its precedent, to the security of the monarch, and the rights of his family.

Upon that part of the plan which regards the king's real and personal property, the prince feels himself compelled to remark, that it was not necessary for Mr. Pitt, nor proper to suggest to the prince, the restraint he proposes against the prince's granting away the king's real and personal property. The prince does not conceive, that during the king's life he is by law entitled to make any such grant; and he is sure that he has never shewn the smallest inclination to possess any such power. But it remains with Mr. Pitt to consider the eventual interests of the royal family, and to provide a proper and natural security against the mismanagement of them by others.

The prince has discharged an indispensable duty, in thus giving his free opinion on the plan submitted to his consideration. His conviction of the evils which may arise to the king's interests, to the peace and happiness of the royal family, and to the safety and welfare of the nation, from the government of the country remaining longer in its present maimed and debilitated state, outweighs, in the prince's mind, every other consideration, and will determine

him to undertake the painful trust imposed upon him by the present melancholy necessity, which, of all the king's subjects, he deplores the most, in full confidence that the affection and loyalty to the king, the experienced attachment to the house of Brunswick, and the generosity which has always distinguished this nation, will carry him through the many difficulties inseparable from this most critical situation, with comfort to himself, with honour to the king, and with advantage to the public.

(Signed)

GEORGE P.

Carlton House,
January 2d, 1789.

Delivered on the same day by his royal highness to the lord chancellor.

PAPERS RELATIVE TO THE DISPUTE WITH SPAIN,

RESPECTING THE BRITISH SETTLEMENT AT NOOTKA SOUND.

A. D. 1790.

On the 25th May, 1790, the king of Great Britain, by a royal message to both house of parliament, informed them that certain vessels, navigating under the British flag, had been captured at Nootka Sound, on the north western coast of America, by two Spanish ships of war; that the cargoes had been seized, and the crews detained prisoners. The capture of one of these vessels had been notified by the court of Madrid a considerable time since, and complaints at the same time made, of the encroachments on the territorial rights of Spain in America. Demand, his majesty said, had been made in consequence of this communication, of immediate restitution and satisfaction previous to any other discussion. By the answer from the court of Madrid, it appeared that this vessel and

crew, had been liberated by order of the viceroy of Mexico, on the supposition that ignorance of the rights of Spain only had occasioned this violation of them. Fresh representations had been made at the court of Madrid, insisting upon full and adequate satisfaction for this injury, and orders were given to make such preparations as might put it in his majesty's power to act with vigour and effect in support of the honour of his crown, and the interests of his people.

The court of Spain, alarmed at the high and menacing language of the British ministry, addressed, June 4th, a sort of circular letter or declaration, to all the European powers, stating the justice of her claims, and the exemplary moderation of her proceedings. The declaration affirmed, that his Catholic majesty pretended to no other rights than such as belonged to his crown by the most solemn treaties, recognized by all nations, and more particularly with Great Britain. Complaints had been made to the court of London, so long since as the 10th February, of the violation of these treaties, by certain *merchants*, whom Spain regarded as usurpers. If the court of London, says this declaration, had been made an amicable return to these complaints, and had shewed any desire to terminate the affair by an amicable accommodation, a great deal of unnecessary expense might have been saved. The high and menacing tone and manner in which the answer of the British minister was couched, at a time when no certain information of the particulars had arrived, made the Spanish cabinet entertain some suspicions that it was made not so much for the purpose of the dispute in question, as a pretext to break entirely with our court. On a late occasion a complaint was made to the court of Russia, as to some similar points relative to the navigation of the south sea. A candid answer being returned by that court, the affair was terminated without the least disagreement. Indeed it may be asserted with truth, that the manner, much more

than the substance, has produced the disputes that have taken place on this head with Great Britain.

Although Spain may not have establishments or colonies planted upon the coasts, or in the ports in dispute, it does not follow that such coast or port does not belong to her. If this rule were to be followed, one nation might establish colonies on the coasts of another nation, in America, Asia, Africa, and Europe, by which means there would be no fixed boundaries, a circumstance evidently absurd. But whatever may be the issue of the question of right, upon a mature consideration of the claims of both parties, the result of the question of fact is, that the capture of the English vessels is repaired, by the restitution that has been made, and the conduct of the viceroy; for as to the qualification of such restitution, and whether the prize was lawful or not, that respects the question of right yet to be investigated; that is to say, whether it has been agreeably to, or in contradiction to the treaties relative to the rights and possessions of Spain. Lastly, the king will readily enter into any plan by which future disputes on this subject may be obviated, that no reproach may be upon him, as having refused any means of reconciliation."

At this period, a very happy choice of an ambassador to the court of Spain, was made in the person of Mr. Fitzherbert, now lord St. Helen's, whose diplomatic address, and spirit of conciliation, were well adapted to temper and modify the pride and harshness of the English minister. On Mr. Fitzherbert's arrival at Madrid, a memorial was delivered to him, June 13th, by the count de Florida Blanca, in the name of the king of Spain, representing that by every treaty on record, between Spain and the other nations of Europe, particularly by the various treaties concluded from time to time with England, the rights now claimed by his Catholic majesty, were admitted and confirmed in their full extent. The memorial then goes on to enumerate the repeated acts by which Spain had

affirmed her right of sovereignty over the coasts bordering on the Northern Pacific, and acknowledges the recent seizure of divers vessels found navigating in those seas, under American, Portuguese, and English colours: one of which, the Argonaut, came not only to trade, but brought every thing with him proper to form a settlement, and to fortify it, in which determination he persevered, notwithstanding the remonstrances of the Spanish admiral. After some time the English vessels were released, by order of the viceroy of Mexico, without declaring them lawful prizes, on account of the ignorance of the proprietors, and the friendship which subsisted between the two courts of London and Madrid.

On the communication of these transactions to the court of London, the answer which the English ministry gave on the 26th February, was, that they had not as yet been informed of the facts stated by the ambassador, and that the act of *violence* mentioned in his memorial, necessarily suspended any discussion of the claims therein, till an adequate atonement had been made for a proceeding so injurious to Great Britain. The court of Spain then ordered her ambassador at London, to present a memorial to the British ministry, setting forth, that though the crown of Spain had an indubitable right to the continent, islands, harbours, and coasts, of that part of the world, founded on treaties, and immemorial possession, yet as the viceroy of Mexico had released the vessels that were detained, the king looked upon the affair as concluded, without entering into any disputes or discussions on the undoubted rights of Spain; and desiring to give a proof of his friendship for Great Britain, he should rest satisfied, if she ordered that her subjects in future respected those rights.

While England was employed in making the greatest armaments and preparations, that court made answer to the Spanish ambassador (May 5th), that the acts of violence committed against the British flag, rendered it neces-

sary for the sovereign to charge his minister at Madrid, to renew the remonstrances, and to require that satisfaction which his majesty thought he had an indisputable right to demand. To this was added a declaration, not to enter formally into the matter, until a satisfactory answer was obtained, and at the same time the memorial of Spain should not include in it the question of right, which formed a most essential part of the discussion.

The chargé d'affaires having observed that a suspension of the Spanish armaments would contribute to tranquillity upon the terms to be communicated by the British administration; an answer was made by the Spanish administration, "that the king was sincerely inclined to disarm upon the principles of reciprocity, and proportioned to the circumstances of the two courts; adding, that the court of Spain was actuated by the most pacific intentions, and a desire to give every satisfaction and indemnification, if justice was not on their side, provided England did as much, if she was found to be in the wrong."

Such was the substance of the memorial delivered by the count de Florida Blancha to Mr. Fitzherbert, to which that able minister in a short time returned the following excellent reply.

SIR,

In compliance with your excellency's desire, I have now the honour to communicate to you in writing, what I observed to you in the conversation we had the day before yesterday. The substance of these observations are briefly these:

The court of London is animated with the most sincere desire of terminating the difference that at present subsists between it and the court of Madrid, relative to the port of Nootka and the adjacent latitudes, by a friendly negotiation; but as it is evident, upon the clearest principles of justice and reason, that an equal negotiation cannot be

opened, till matters are put in their original state; and as certain acts have been committed in the latitudes in question, by vessels belonging to the royal marine of Spain, against several British vessels, without any reprisals having been made of any sort on the part of Britain, that power is perfectly in the right to insist as a preliminary condition, upon a prompt and suitable reparation for these acts of violence. And in consequence of this principle, the practice of nations has limited such right of reparation to three articles, viz. the restitution of the vessels—a full indemnification for the losses sustained by the parties injured—and finally, satisfaction to the sovereign for the insult offered to his flag. So that it is evident that the actual demands of my court, far from containing any thing to prejudice the rights, or the dignity, of his Catholic majesty, amount to no more in fact, than what is constantly done by Great Britain herself, as well as every other maritime power in similar circumstances.

Finally, as to the nature of the satisfaction which the court of London exacts on this occasion, and on which your excellency appears to desire some explanation, I am authorized, sir, to assure you, that if his Catholic majesty consents to make a declaration in his name, bearing in substance, that he had determined to offer to his Britannic majesty a just and suitable satisfaction for the insult offered to his flag, such offer, joined to a promise of making restitution of the vessels captured, and to indemnify the proprietors under the conditions specified in the official letter of Mr. Merry, on the 16th May, will be regarded by his Britannic majesty, as constituting in itself the satisfaction demanded; and his said majesty will accept of it as such, by a counter declaration on his part.

I have to add, that as it appears uncertain if the vessels, the North West, an American vessel, and the Iphigenia, had truly a right to enjoy the protection of the British flag, the king will with pleasure consent, that an exami-

nation of this question, as well as that relative to the just amount of the losses sustained by his subjects, may be left to the determination of commissioners, to be named by the two courts.

Having thus recapitulated to your excellency the heads of what I observed to you in conversation, I flatter myself you will weigh the whole in your mind, with that spirit of equity, and moderation which characterizes you, that I may be in a condition of sending to my court as soon as possible, a satisfactory answer, as to the point contained in the official paper sent to Mr. Merry on the 4th of the month, and which, for the reasons I have mentioned, cannot be regarded by his Britannic majesty as fulfilling his just expectation.

I have the honour to be, &c.

ALLEYNE FITZHERBERT.

A harsh and unjust demand could not possibly be couched in terms more guarded and polite. In consequence of the dexterity and address of the ambassador, the irritation of the Spanish court appears to have suffered a great abatement, and an immediate answer was returned by the count de Florida Blanca, in the same spirit of courtesy and conciliation; although unconvinced, as may easily be supposed, by the arguments of Mr. Fitzherbert.

The count desires "that the English ambassador will pardon him, that he cannot give his assent to the principles laid down in his letter, as Spain maintains on the most solid grounds, that the detention of the vessels was made in a port upon a coast, or in a bay of Spanish America, the commerce and navigation of which belonged exclusively to Spain, by treaties with all nations, even England herself.

The principles laid down cannot be adapted to the case.

The vessels detained, attempted to make an establishment at a port where they found a nation actually settled; the Spanish commander at Nootka having, previous to their detention, made the most amicable representations to the aggressors to desist from their purpose. However, that a quarrel may not arise about words, and that two nations friendly to each other, may not be exposed to the calamities of war, I have to inform you, sir, by order of the king, that his majesty consents to make the declaration which your excellency proposes in your letter, and will offer to his Britannic majesty a just and suitable satisfaction for the insult offered to the honour of his flag; provided that to these are added, either of the following explanations:

I. That in offering such satisfaction, the insult and the satisfaction shall be fully settled both in form and substance, by a judgment to be pronounced by one of the kings of Europe, whom the king, my master, leaves wholly to the choice of his Britannic majesty: for it is sufficient to the Spanish monarch, that a crowned head, from full information of the facts, shall decide as he thinks just.

II. That in offering a just and suitable satisfaction, care shall be taken, that in the progress of the negotiation to be opened, no facts be admitted as true, but such as can be fully established by Great Britain, with regard to the insult offered to her flag.

III. That the said satisfaction shall be given, on condition that no inference be drawn therefrom, to affect the rights of Spain, nor the right of exacting from Great Britain an equivalent satisfaction, if it shall be found in the course of negotiation, that the king has a right to demand satisfaction for the aggression and usurpation made on the Spanish territory, contrary to subsisting treaties.

Your excellency will be pleased to make choice of either of these three explanations, to the declaration your excellency proposes, or all the three together; and to point out

any difficulty that occurs to you, that it may be obviated; or any other mode that may tend to promote the peace which we desire to establish.

(Signed)

THE COUNT DE FLORIDA BLANCA.

These propositions of the Spanish court, were of a nature very perplexing, merely because the equity and fairness of them were so extremely apparent; indicating a confidence so firm in the justice of her cause: as on the other hand, the refusal of the English court to accede to these proposals, plainly shewed the doubts which she herself entertained of the validity of her claims. That California, conformably to the tenor of the existing treaties, had invariably been considered as appertaining to Spain, was too evident to be denied. England, therefore, refused to discuss the previous question of right, because, if Spain proved her title to the territory in dispute, no reparation was due to England, as no injury had been offered. The court of Madrid had therefore great reason to complain that they were required to make reparation, and to offer satisfaction, before it was ascertained whether England had even any pretence to exact such conditions of reconcilement. There was indeed a sense in which the claims of Spain might well be regarded as in the highest degree extravagant, for Western America belonged not to her by any court of justice or rectitude. The country was no doubt the property of the inhabitants whom God and nature had planted there: but her claims, relatively speaking, and in respect to Great Britain, were valid; because they had been solemnly and repeatedly recognized by the British government, and because the similar and corresponding claims of Britain acknowledged by Spain, had never been violated by that power; which, finding the court of London inflexibly determined not to accede to the

propositions which appeared to his Catholic majesty so equitable; at length, with much reluctance, and after many weeks delay, signed the following

DECLARATION.

His Britannic majesty having complained of the capture of certain vessels belonging to his subjects, in the port of Nootka, situated on the north west coast of America, by an officer in the service of the king; the undersigned counsellor and principal secretary of state to his majesty, being thereto duly authorized, declares in the name, and by the order of his said majesty, that he is willing to give satisfaction to his Britannic majesty for the injury of which he has complained; fully persuaded that his said Britannic majesty would act in the same manner towards the king, under similar circumstances. And his majesty further engages to make full restitution of all the British vessels which were captured at Nootka, and to indemnify the parties interested in those vessels, for the losses which they shall have sustained, as soon as the amount thereof shall have been ascertained: it being understood that this declaration is not to preclude or prejudice the ulterior discussion of any right which his majesty may claim, to form an exclusive establishment at the port of Nootka.

Signed at Madrid, the 24th July, 1790.

THE COUNT DE FLORIDA BLANCA.

At the same time Mr. Fitzherbert, on the part of his majesty the king of Great Britain, signed the following

COUNTER DECLARATION.

His Catholic majesty having declared, that he was willing to give satisfaction for the injury done to the king by the capture of certain vessels belonging to his subjects in the bay of Nootka, and the count de Florida Blanca

having signed, in the name and by the order of his Catholic majesty, a declaration to this effect, and by which his said majesty likewise engages to make full restitution of the vessels so captured, and to indemnify the parties interested in those vessels for the losses they shall have sustained; the undersigned ambassador extraordinary and plenipotentiary of his majesty to the Catholic king, being thereto duly and expressly authorized, accepts the said declaration in the name of the king; and declares that his majesty will consider this declaration, together with the performance of the engagements contained therein, as a full and entire satisfaction for the injury of which his majesty has complained.

The undersigned declares at the same time, that it is to be understood, that neither the said declaration signed by count Florida Blanca, nor the acceptance thereof by the undersigned, in the name of the king, is to preclude or prejudice in any respect, the right which his majesty may claim to any establishment which his subjects may have formed, or should be desirous of forming in future, at the said bay of Nootka.

Signed at Madrid the 24th July, 1790.

ALLEYNE FITZHERBERT.

Soon after Mr. Fitzherbert's arrival at Madrid, the court of Spain had made application to that of France, in very urgent terms, for that aid and assistance which was due from the French government, conformably to the tenor of the family compact, in case of a rupture with Great Britain, affirming, "that by the treaties, demarcations, takings of possession, and the most decided acts of sovereignty, exercised by the Spaniards, for which original vouchers would be brought forward, all the coast of Western America, bordering on the South Sea, as far as the sixty-first degree of north latitude, belonged exclu-

sively to Spain; and that the state of their possessions on the sea coast of the Southern Ocean had been particularly acknowledged by England in the eighth article of the treaty of Utrecht." The Spanish minister, count de Fernand Nunez, in his letter to M. de Montmorin, on this subject, declares, "that he is charged by his Catholic majesty to add, that the present state of this unforeseen business requires a very speedy determination, and that the measures which the court of France shall take for his assistance shall be so active, so clear, and so positive, as to prevent even the smallest ground for suspicion. Otherwise his most Christian majesty must not be surprised that Spain should seek other friends and different allies among all the powers of Europe, without excepting *any one*, upon whose assistance she can rely in case of need. The ties of blood and personal friendship which unite our two sovereigns, and particularly the reciprocal interest which exists between two nations united by nature, shall be respected in all new arrangements, as far as circumstances will permit."

The king of France had already shewn his readiness to assist the king of Spain in this emergency, by recommending to the national assembly, in the preceding month of May, to equip a squadron of fourteen ships of the line, in order to enable him to act as circumstances might require. This measure was not only complied with, but applauded by the assembly, who passed a vote of thanks to the king upon the occasion. The encouragement received from France, however, was not sufficient to prevent the court of Madrid from acceding to the declaration required by England, and which the former probably hoped would have terminated the business. On the contrary, the discussion, or rather the claim and assertion of right succeeding to the declaration, the dispute became more serious than ever; England haughtily insisting upon the absolute relinquishment, on the part of Spain, of any exclu-

sive property on the north-western coasts of America, beyond those parts of the coast already occupied by Spain.

With at least as much justice might the court of Madrid have required the relinquishment on the part of England, of any exclusive right of property on the north-eastern coast of the same vast Continent, beyond the most northerly settlements in Canada or Labradore.

On the 1st August, M. de Montmorin, by order of the king of France, proposed to the national assembly, another and far greater augmentation of the French marine than the former—apprizing them at the same time, that the king of Spain claimed in the most positive manner, an assurance of the execution of the conditions stipulated by the treaty of alliance subsisting between the two nations, and submitting to the wisdom of the legislative body what answer should be made to the court of Madrid.

This message being referred to the diplomatic committee, a report was in a short time drawn up by the celebrated Mirabeau in their name, replete with good sense, sound policy, and sentiments of humanity. In consequence of this report, the assembly passed a decree, that the French nation will observe her defensive and commercial engagements with Spain. The general tenor of the report, which treated with indignation the supposition, "that two enlightened nations would lavish their blood and treasure for the acquisition of so distant, so barren a spot of ground," was however so adverse to the idea of a war with England, and the reluctance of the assembly to involve the French nation in hostilities for an object wholly insignificant, so apparent, that the court of Madrid wisely resolved to concede the points in dispute to England, by a convention signed at the Escurial on the 28th October, 1790, by Mr. Fitzherbert and the count de Florida Blanca. But though England, at the expense of three millions, extorted from the Spaniards a promise of restoration and reparation, it is well ascertained, *first*,

that the settlement in question never was restored by Spain, nor the Spanish flag at Nootka ever struck; and *secondly*, that no settlement has ever been subsequently attempted by England on the Californian coast. The claim of right set up by the court of London, it is therefore plain, has been virtually abandoned, notwithstanding the menacing tone in which the negotiation was conducted by the British administration, who cannot escape severe censure for encouraging those vexatious encroachments on the territorial rights of Spain.

DECLARATION OF MANTUA, BY THE EMPEROR LEOPOLD II.

MAY 20, 1791.

M. Bertrand de Moleville, in his memoirs informs us, that in May 1791, the king and queen of France sent a confidential person, the count Alphonse d'Urfort, to the count d'Artois, with a commission to treat with the emperor Leopold, then in Italy, for the rescue and re-establishment of the royal family of France. The conference took place at Mantua on the 20th May. The following paper was drawn up, corrected by the emperor himself, and carried to Paris in seven days by M. d'Urfort.

DECLARATION.

THE emperor shall order 35,000 men to march towards the frontiers of Flanders and Hainault, and at the same time the troops of the circles, to the number of 15,000 men, shall proceed to Alsace. The same number of Swiss shall appear on the frontiers of the Lyonnois and Franche Compté; the king of Sardinia upon that of Dauphiné with 15,000 men. Spain has already assembled 12,000 men in Catalonia, and will raise them to 20,000 troops, to

threaten the southern provinces. These different armies will form a mass of about 100,000 men, which shall march in five columns to the several frontiers bordering on the different states. To these armies shall be joined the regiments remaining loyal, the armed volunteers who may be relied on, and all the malcontents of the provinces.

The emperor is assured of the good disposition of the king of Prussia; and his Imperial majesty has himself undertaken the direct correspondence with the court of Berlin. The king of England, as elector of Hanover, also desires to enter into the coalition, which must be kept a profound secret till the instant of the explosion; for which reason care must be taken to prevent any partial insurrection in the interior.

All being thus arranged for the end of July, the declaration of the house of Bourbon shall appear. It shall be signed by the king of Spain, the king of Naples, the infant of Parma, and the princes of the blood that are at liberty. The manifesto of the powers engaged in the coalition, shall appear immediately after.

Although the emperor is the soul and leader of the enterprise, it would most probably place the queen in a perilous situation, if he should appear as the prime mover. For this plan would be certainly attributed to the house of Austria, and the assembly will use their utmost endeavours to render it odious to the people.

The emperor is going to write to the king of Spain to hasten his preparations, and exhort him to sign without delay the declaration of the house of Bourbon. The king and queen of Naples, who are acquainted with it, only wait the signature of Spain to affix theirs.

The intentions of the king of Sardinia are excellent; he only waits the emperor's signal. The diet of Ratisbon, who have received the decree for a commission, are about to take their last resolutions. The neutrality of England may be relied upon.

Every thing being thus concerted with the powers, this plan ought to be considered as settled; and care should be taken that it is not thwarted by jarring ideas. Their majesties should carefully avoid dividing their confidence, and letting many into the secret; having already experienced that it only hurts, retards, and embarrasses.

The parliaments are necessary for the re-establishment of forms: consequently a continual correspondence must be kept up with several members of the supreme courts, to be able to re-assemble them easily when the time comes.

Though hitherto it had been wished that their majesties might themselves procure their liberty, the present situation of affairs makes it necessary to entreat them earnestly to drop the idea. Their position is very different from that in which they stood previous to the 18th April, before the king had been compelled to go to the assembly, and to cause the letter to be written to the ambassadors. The only object that ought to take up their majesties' attention, is to employ every possible means to increase their popularity, to take advantage of it when the time should come; and so that the people, alarmed at the approach of the foreign armies, should find their safety only in the king's mediation, and their submission to his majesty's authority.

This is the emperor's opinion. He depends solely on this plan of conduct for the success of the measures which he has adopted, and particularly requests that every other may be given up. What might happen to their majesties, if in their flight they should not be able to escape a barbarous vigilance, makes him shudder with horror. His Imperial majesty thinks that their majesties' surest course is the movement of the armies of the allied powers, preceded by threatening manifestoes.

LETTER FROM THE KING OF THE FRENCH TO THE KING OF ENGLAND.

A. D. 1792.

Paris, May 1, 1792.

SIR, MY BROTHER,

I SEND this letter by M. Chauvelin, whom I have appointed my minister plenipotentiary at your majesty's court. I embrace this opportunity to express to your majesty, how sensible I am of all the public marks of affection you have given me. I thank you for not having become a party to the concert formed by certain powers against France. From this I see you have formed a better judgment of my true interests, and a more correct opinion of the state of France. Between our two countries, new connexions ought to take place. I think I see the remains of that rivalship which has done so much mischief to both, wearing daily away. It becomes two kings who have distinguished their reigns by a constant desire to promote the happiness of their people, to connect themselves by such ties as will appear to be durable, in proportion as the two nations shall have clearer views of their own interests. I have every reason to be satisfied with your majesty's ambassador at my court. If I do not give the same rank to the minister whom I have sent to yours, you will nevertheless perceive, that by associating in the mission with him, M. de Talleyrand, who by the letter of the consitution can assume no public character, I consider the success of the alliance, in which I wish you to concur with as much zeal as I do, as of the highest importance. I consider it as necessary to the stability, to the respective constitutions, and the internal tranquillity of our two kingdom ; and I will add, that our union ought to command peace to Europe.

I am your good brother,

LOUIS.

To this most important overture of friendship and alliance, an attention to which might, and in all human probability would, have prevented incalculable mischief, no answer whatever was made by the English court.

END OF VOL. VIII.

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